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KERALA GAZETTE

SUPPLEMENTS

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CONTENTS

PART I

Labour Department

Kerala Gazette No. 51 dated 28th December 1982.
PART I

GOVERNMENT OF KERALA

Labour (A) Department

NOTIFICATION

G. O. (Rt.) No. 1126/82/LBR. *Dated, Trivandrum 18th October 1982.*

The award of the Industrial Tribunal, Quilon in respect of the dispute between Shri G. Oommen, Proprietor, St. Mary's Cashew Factory, Puthoor, Kottarakkara and The workmen of the above Factory represented by the Secretary, Puthoor Kasuandi Thozhilali Council, Puthoor, Kottarakkara received by Government on 5-10-1982 is hereby published under section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor.
K. SIVADASAN,
Deputy Secretary to Government

In the Court of the Industrial Tribunal, Quilon

(Dated, this the 30th day of September, 1982)

Present :

SHRI C.N. SASIDHARAN B.SC., B.L.,

Industrial Tribunal

In

INDUSTRIAL DISPUTE No. 27 OF 1982

(Old No. 7/80 of I.T. Alleppey)

Between

Sri. G. Oommen, Proprietor, St. Mary's Cashew Factory,
Puthoor, Kottarakkara
(By Advocate Sri. David Koshy, Quilon)

And

The workmen of the above Factory represented by the Secretary,
Puthoor Kasuandi Thozhilali Council, Puthoor, Kottarakkara.
(By Advocate Sri. N. Raman Pillai, Quilon)

AWARD

As per G. O. Rt. No. 560/75/LBR. dated 27-5-1975 Government has originally referred this Industrial Dispute between the above parties to the Industrial Tribunal, Alleppey. That Tribunal took the case on file as Industrial Dispute No. 23 of 1975. On the establishment of this Tribunal the same was transferred to this Tribunal and re-numbered as Industrial Dispute No. 27 of 1982.

The issue referred for adjudication is "Dismissal of the following 9 workmen:—"

1.	Sri. M. Baby	*Roasters*
2.	,, O. Koshy	
3.	,, Thankachan	
4.	,, Sivarama Pillai	
5.	,, Babu	
6.	,, Sri. Joy	*Bormamen*
7.	,, Pappan	
8.	,, Prabhakaran	
9.	,, Podiyan	

The workmen fell into two categories, 5 of them are Roasters and 4 of them are Bormamen. The employment of these workers was terminated after conducting 2 separate domestic enquiries, one concerning the 5 Roasters and the other concerning 4 Bormamen in respect of different charges levelled against them. At the respective domestic enquiries the enquiry officer found on the materials placed before him that the concerned workmen were guilty of the charges leveled against them. Accepting the finding of the enquiry officer the management terminated the employment of the 9 workers. This led to an Industrial Dispute which as mentioned above was referred to the Industrial Tribunal Alleppey. The Industrial Tribunal Alleppey after and exhaustive consideration of the enquiry report and other evidence adduced before it, upheld the finding of the enquiry officer and passed an award approving the action of management in dismissing the concerned workmen from service.

The award was impugned before the High Court of Kerala in O.P.No.2007/77. It was contended before the High Court that Industrial Tribunal, Alleppey has relied on Ext. M9 Judgment of the Judicial Ist Class Magistrate, Kottarakkara in C. C. 134/75 were by the 5 workmen were convicted and sentenced the 5 Roasters for one years regorous imprisonment under Sec. 486 of Indian Penal Code, to come to the conclusion the case set up against the 5 Roasters was fully proved and upheld the punishment of dismissal. It was further contended that on appeal before the Additional Sessions Judge, Quilon againt the conviction and sentence of the Judicial Ist Class Magistrate, Kottarakkara was set aside and hence the charges against them were not proved and since the Tribunal took into account only the judgment of the Judicial Ist Class

Magistrate, that judgment might have influenced the Tribunal in confirming the punishment of dismissal by the management. The award has to be set aside and matter remitted to the Industrial Tribunal for adjudicating afresh in the light of the subsequent order of acquittal passed by the Additional Sessions Judge, Quilon. The High Court subsequently set aside Ext. P1 award so far the 5 Roasters are concerned and directed the Tribunal to consider the question referred to it so far as the 5 Roasters are concerned. High Court was observed in Para 4 of the judgment as follows.

> In view of the fact that Ext. M1 judgment also was taken into consideration so far the 5 Roasters are concerned and that also has influenced the Tribunal's mind, it is necessary to direct the Tribunal to consider the question of dismissal of 5 Roasters from service afresh by allowing the union to adduce. Ext. P16 also as evidence on its behalf. I, therfore, set aside Ext. P1 award so far as the 5 Roasters are concerned and direct the Tribunal to consider the question referred to it so far as these 5 workmen are concerned afresh after affording them as opportunity to produce a certified copy of the appellate judgment in Criminal Appeal No. 197 of 1976 on the file of Second Additional Sessions Judge, Quilon".

Regarding other 4 workmen; their dismissal was confirmed by the High Court also. So I am now concerned with the case of 5 Roasters only.

After remand it was re-numbered as Industrial Dispute 7 of 1980 and posted before the Industrial Tribunal Alleppey on 16-7-1980. After several adjournments when the workmen were absent they were set ex party on 23-9-1980. On 30-10-1980 the ex party order was set aside on application filed by the workmen and again posted to 15-11-1980 for evidence. The workmen took time and posted again to 10-12-1980. Union was again absent and the case was posted to 8-1-1981 on which date also union was absent. Several opportunities were given to the workmen to present their case. After granting 8 adjournments the management was heard and the cases was taken for award by the Industrial Tribunal Alleppey.

After the constitution of this Tribunal the above case was transferred to this Tribunal by orders of Government and re-numbered as Industrial Dispute No. 27 of 1982. That is how this case is before me now. Fresh notices were issued to the parties from this Tribunal also and the case was posted to 21-5-1982 for their appearance. On that day the union represented by counsel and took time. On the subsequent several days to which the case was adjourned at the instance of the union they did not produce the certified copy of the judgment in Criminal Appeal No. 197/76 nor did they advance any argument in support of their case as directed by the High Court. The management filed their argument notes on 4-6-1982. I granted another opportunity to the union to produce the necessary records or other evidence and posted the case on 16-9-1982. Union was again absent and set them ex party and taken for award since it is a reference of the year 1975.

Now on the available evidence before it, the Industrial Tribunal Alleppey has come to the conclusion that dismissal of the 5 Roasters was just and proper. No fresh evidence as directed by the High Court was produced before me by the workmen. I have examined the other evidencet namely the evidence of MW1 to MW3 on the side of the management and Ext. M1 to M9 documents. On a reappraisal of the entire evidence before me both oral and documentary and taking into consideration all the facts and circumstances of this case, I have no hesitation to come to the conclusion that the findings of the enquiry officer ragarding the 5 Roasters are just and reasonable and the punishment imposed by the management in dismissing these workmen are unavailable.

Accordingly I pass an award in terms of the above finding.

Quilon,
30-9-1982.

C. N. SASIDHARAN,
Industrial Tribunal.

Appendix

Witness examined on the side of the Management.

MW1. Sri Velayudhan Pillai.
MW2. Sri Chandrasekharan.
MW3. Sri K. M. Thomas.

Witness examined on the side of the Union:— Nil

Exhibits marked on the side of the Management :

Ext. M1. Copy of the notice dated 6-1-1975 issued to the workers for posting the enquiry.
,, M2. Notice issued by the enquiry officer for conducting the enquiry to the workers.
,, M3. Enquiry proceedings dated 11-1-1975.
Series
,, M4. Enquiry report dated 22-1-1975 of Sri G. Velayudhan Pillai, Enquiry officer.
,, M5. Notice dated 21-12-1974 submitted by the management before the Enquiry officer.
,, M6. Documents submitted before the Enquiry officer.
,, M7. Enquiry report dated 10-1-1975 of Sri K. K. Chandrasekharan, Enquiry officer.
,, M8. Enquiry Proceedings.
Series.
,, M9. Certified copy of the judgment in C.C.No.134/75 of the Judicial Magistrate of the I Class, Kottarakkara, dated 15-9-1976.

Exhibit marked on the side of the Union :

Ext. W1. Notices issued to the workers by the Management.
Series.

Kerala Gazette No. 51 dated 28th December 1982.
PART I



GOVERNMENT OF KERALA

Abstract

SOCIAL WELFARE—KERALA SPECIAL PENSION SCHEME FOR THE PHYSICALLY HANDICAPPED AND DISABLED AND MENTALLY RETARDED—APPROVAL OF AND ISSUE OF RULES—ORDERS ISSUED

LOCAL ADMINISTRATION & SOCIAL WELFARE (E) DEPARTMENT

G. O. (P) No. 154/82/LA&SWD. *Dated, Trivandrum, 6th September* 1982.

Read:—1. G.O. (P) 1415/73/LA&SWD dated 3-8-1973

2. Letter No. 8207/81/FB (A) 4 dated 10-6-1981 from the Secretary, Board of Revenue.

ORDER

The problem of the Physically Handicapped and Disabled and Mentally Retarded persons in society is very acute. For giving these persons a better deal Government are pleased to approve a special pension scheme for them and issue the rules appended to this order for the administration of the Scheme.

Government are also pleased to order as follows:—

(i) The category of "Physically disabled and handicapped destitutes" mentioned in rule 2 (ii) of the Kerala Destitute Pension Scheme issued as per the G. O. read as first paper above, will stand deleted with effect from 1-4-1982.

(ii) Those Physically Handicapped destitutes now receiving Rs. 55 p.m. will be paid an arrear of Rs. 20 (Rupees Twenty only) till they come to the new scheme of pension approved in this order, and

(iii) A new head of account will be opened for the new pension scheme for the physically handicapped and disabled and mentally retarded

persons under "288 D—Social Welfare".—The Board of Revenue will take immediate action on this score and to include provision in the budget.

By order of the Governor,
M. S. K. RAMASWAMI,
Special Secretary to Government.

To,

The Secretary, Board of Revenue (LR)
The Director of Social Welfare.
All District Collectors.
The Accountant General (This issues with the concurrence of Finance Department)
The Finance Department (vide that Department U. O. No. 7949/Agri. C3/81/Fin. dated 29-1-1982 and No. 3677/AW-C3/82 / Fin. dated 12-5-1982 and No. 6940/AW-C3/82/Fin. dated 3-8-1982.
The Chief Conservator of Forests, Trivandrum.
The Revenue Department.
The Director of Public Relations,

Rules for Special Pension Scheme for the Physically Handicapped and Disabled and Mentally Retarded Persons

1. (i) These Rules may be called "The Kerala Special Pension Scheme to the Physically Handicapped and Disabled and Mentally Retarded Rules, 1982."

(ii) They shall come into force with effect from 1-4-1982.

2. *Object of the Scheme*:—The object of the scheme is to give pension to the physically handicapped and disabled persons who have no source of livelihood.

3. *Applicability of the Scheme*:—This scheme shall apply to physically handicapped and disabled and mentally retarded persons who are Keralities.

Note:—All persons who are residing within the Kerala State for a continuous period of not less than two years immediately proceding the date of application shall be treated as "Keralites" for the purpose of the Scheme.

4. *Definitions*:—In these rules unless the context otherwise requires:

(a) Collector, Revenue Divisional Officer, Tahsildar, Village Officer, Range Officer means the Officers so designated within their respective jurisdictions.

(b) "Physically handicapped and disabled person" means a person who is deaf or dumb or blind or Orthopaedically defective and without any source of income or has a nominal income below Rs. 75.

Note:—(i) 'Orthopaedically Handicapped' are those who have a Physical defect or, deformity which Causes interference with the normal functioning of bones, muscles or joints.

(ii) 'The Blind' are those who suffer from either of the following viz., (a) Total absence of sight (b) Visual activity not exceeding 6/60 or 20/200 (snellen) in the better eye even with corrective lenses or limitation of the fields of subtending an angle of 20 degrees or worse.

(c) 'The Deaf' are those in whom the sense of hearing is non-functional for ordinary purposes of life having hearing loss of more than 90 decibles in better ear.

(d) For the orthopaedically handicapped only persons with minimum of 40% disability on Mc Bride scale will be eligible for pension.

(e) 'Mentally Retarded' means those with permanent mental impairments including those of intelligence, memory and thought with a rated intelligence quotient (IQ) of less than 50.

5. *Conditions for grant of Pension:*—

(i) Notwithstanding anything contained in these rules, no person shall be eligible for payment or continuous payment of pension if:—

(a) be/she resorts to habitual begging or

(b) he/she is admitted to a poor home run by or with the aid of the Government or a local authority.

Note:— (i) The word "begging" shall have the meaning assigned to it under the Law relating to prevention of begging for the time being in force.

(ii) No person sball be eligible for the pension if he/she is in receipt of any pension or grant-in-aid under any other welfare scheme instituted by the Central or State Government or by a Local Authority or by any organisation run with the aid of the Central or State Government or of a Local Authority.

Note:—A physically handicapped and disabled persons in receipt of pension under the Kerala Destitute Pension Scheme will be eligible for pension under this Scheme if be submits his willingness to forego the destitute pension from the date of effect of sanctioning of this special pension. With

the issue of these rules for payment of pension for the Physically Handicapped and Disabled Persons this Category will be taken out of the purview of the K.D.P. Scheme.

(c) A person whose income is more than Rs. 75 p. m. and also whose family income, ie, income of mother/father/husband/wife exceeding Rs. 300 p.m. shall not be eligible for pension.

(d) A person, who is getting scholarship or any other allowances on the ground that he is handicapped shall not be eligible for pension.

(e) The disability as far as the Physically Handicapped are concerned, will be certified by the Medical Board for the Physically Handicapped constituted by Covernment. That of the mentally retarded will be certified by a Medical Officer not below the rank of an Asst. Surgeon in Covernment Service with Specialisation in Psychiatry.

(f) Applications for Pension shall be filed by the person eligible for the pension or by his guardian and shall be accompanied by a certificate obtained from the authority referred to in para (c) above.

6. *Amount of Pension*:—The amount of pension shall be Rs. 75 per mensem.

7. *Mode of application*:—

(a) Application for pension in Form I appended to these rules shall be submitted in duplicate to the Village Officer of the Village where the applicant or the beneficiary has been residing continuously for not less than one year on the date of application. The application may be in printed or in manuscript form.

(b) Application shall be submitted in the month of March, April and May of each year. Application received after this period need not be registered in the register of applications but shall be returned to the applicant with directions to submit at the appropriate time.

(c) The verification and sanction in respect of all applications received in a year shall be completed before 1st September of each year. The payment of pension shall be once in two months namely the 1st week of January, March, May, July, September and November.

(d) In the case of an insane person or a person who is physically incapacitated to sign the application, the application shall be submitted by the guardian. In the case of an illiterate person, the thumb impression shall be taken.

(e) On the basis of the report received from the Tahsildar, the Disttrict Collector may grant extension, of time for verification and sanction upto 31st December of the year in deserving cases.

Note:—During 1982 the time limit for submission of applications shall be as notified by Government.

8. *Procedure to be followed by Village Officer & Tahsildar*:—

(i) The Village Officer shall maintain a register of applications received for the grant of pension in Form No. IA and the Tahsildar shall maintain a register of applications for the grant of pension received from Village Officers in Form No. II appened to these rules. The Village Officer shall, on receipt of the application, scrutinise it and verify whether the entries are made properly. He will then register it in Form No. IA, note the register number on it, affix his seal, and forward one copy to the Tahsildar duly signed and dated immediately.

Note:—(a) The age of a person recorded in School records or Church records shall be presumed to be correct.

(b) The age of a person recorded in the National Register of Citizens shall be presumed to be correct unless and until the contrary is proved.

(c) In all other cases the Tahsildar shall exercise his discretion and decide on reasons to be recorded in writing which of the record should be relied upon in support of the age of the applicant.

(ii) The Village Officer shall complete enquiries within two months from the date of receipt of application and forwarded it with suitable recommendations to the Tahsildar.

(iii) The Tahsildar shall be the sanctioning authority. He shall consider each application with the recommendation of the Village Officer and on being satisfied that the applicant/beneficiary is eligible for the payment of pension, under these rules, sanction the pension. He may also, if necessary, conduct independent enquiries before sanctioning the pension. If the Village Officer's report on any application is not received within a period of three months, the pension shall be sanctioned provisionally and disbursed by the Tahsildar under intimation to the Village Officer. If however it is subsequently proved that the applicant/beneficiary is not eligible for pension, the Village Officer who failed to submit the verification report in time will be held responsible. The order passed on each application will be communicated by the Tahsildar to the applicant, to the Accountant General, Trivandrum, the Village Officer concerned in Form No. VIII appended to those rules.

Note:—In the case of members of the Scheduled Tribes residing in reserve forest areas, the application for pension shall be submitted to the concerned Range Officer of the Forest Department. In such cases the Range Officer will perform the same functions as that of the Village Officer. In the case of applications to recommended by the Range Officer, the Tahsildar need not conduct any independent enquiry through Village Officers.

(iv) The Tahsildar and the Village Officer/Range Officer shall maintain a register showing the names of persous to whom pension is sanctioned in Form No. III appended to these Rules.

Note:—The pension sanctioned will have effect from the first of the month in which it is sanctioned.

9. *Mode of disbursements*:—

(i) The amount of pension sanctioned, will be remitted by the Tahsildar to the pensioner by money order without deducting the commission. But when the money order has been returned due to the fault of the pensioner (eg:- Due to the change of the address of the pensioner which has not been communicated to the Tahsildar in time) the M. O. Commission in sending pension a second time shall be borne by the pensioner. In such cases the amount of pension need be sent after deducting the M.O. Commission.

(ii) Where the applicant who is eligible for the pension under, the scheme happens to be insane or of unsound mind, efforts should be made to appoint a guardian for him and pension shall be given to the guardian so nominated by the Tahsildar. Persons of good character and antecedents shall be selected as guardians by the Tahsildar. Before the pension is sanctioned, an agreement in Form No. IV appended to these rules shall be executed by the guardian undertaking to support the insane applicant. The agreement should be on stamp paper of the proper value.

(iii) The Tahsildar shall watch the disbursement of pension by maintaining a register in Form No. VII appended to these rules.

10. *Intimation regarding change of residence*:—

(i) The pensioner shall intimate in writing any change in his address to the Tahsildar concerned.

(ii) If a pensioner changes his residence to another Taluk within the State, the Tahsildar who granted the pension shall furnish the details of the pensioner to the Tahsildar of the Taluk to which he has shifted his residence and the latter shall file such intimation properly. Pension will be granted under these rules only after verification of such intimation.

(iii) If a pensioner leaves the State and continues to live in another State the person leaving the State shall be granted pension for a further period of six months provided he or the guardians intimate the change of residence explaining the purpose within 30 days to the Tahsildar, ie. the sanctioning authority. If they return to the Home State, say within a period of one or two years his pension shall be revived from the month on which he return to the Home State.

11. *Appeal*:—(a) An appeal against the order passed by the Tahsildar shall lie to the Revenue Divisional Officer. The appeal shall be filed within thirty days from the date or receipt of the Tahsildar's order and shall be accompanied by copy of the orders appealed against.

(b) The Revenue Divisional Officer shall enter all such applications in the register of appeals in Form No. V. appended to these rules. He shall enquire into the points raised in the appeal petition and pass final orders within one month from the date of receipt of the appeal petition in his office. He shall specify in his order on the appeal petition the date from which it shall take effect.

Note:—Application or appeal under these rules shall be exempt from the payment of Court Fee.

12. *Power to Review and Revision*:—

Any pension granted under these rules shall be liable to cancellation or modification if it is found that it was granted on misrepresentation or mistake of fact or on account of fraud or any procedural irregularity or any change in the pensioner's personal income. The Tahsildar or the Revenue Divisional Officer or any authority superior to these officers will be competent to order such cancellation or modification. No such cancellation or modification shall be ordered without giving an opportunity to the person who will be affected by such order, to show cause against such order.

The person affected by such order shall not be liable for refund of any amount received by way of pension.

Note:—The officer who conducts defective enquires which result in fraudulant payment or payment to undeserving persons shall be held responsible for such payments and the loss sustained by Government on this account is liable to be recovered from him.

13. *Duty of Village Officer / Range Officer* :

If a pensioner dies, the Village Officer/Range Officer shall report the fact to the Tahsildar soon after the death occurs. He shall also make a note of the fact of death in red ink in the register of pension maintained in the Village Office/Range Office.

14. *Verification of eligibility of Pensioner*:—

The Tahsildar shall conduct a half yearly verification whether the pensioner continued to be eligible for the pension and submit a report to the Collector by the 20th of May and November every year.

15. Pension shall cease to be payable from the month in which the pensioner dies or the month in which the fact the pensioner has ceased to be non-eligible for the pension is known.

16. Arrears of pension consequent on the death of a pensioner shall on all deserving cases be granted. The discretion in this regard shall vest with the Tahsildar.

17. Pension under this Scheme shall not be liable to attachment under any process of law.

18. The Board of Revenue will be in over all charge of the scheme and necessary instructions in regard to its proper enforcement shall be issued by the Board of Revenue from time to time.

19. *The Accounting procedure:*

The Accounting procedure annexed to these rules shall be followed in accounting transactions relating to the pension.

20. *Miscellaneous:*

The category of Physically Disabled/Handicapped Destitutes occuring in clause (ii) of rule 2 under the K.D.P. Scheme is deleted.

(ii) The Physically Disabled/Handicapped Destitute hitherto getting pension under the rule 2 (ii) of the K.D.P. Scheme at the rate of Rs. 55 p.m. shall be paid only an arrears of Rs. 20 p.m. till they come to the new scheme approved in this scheme.

ഫാറം നമ്പർ 1

[ചട്ടം 7(എ) നോക്കുക]

വികലാംഗർക്കുള്ള സ്പെഷ്യൽ പെൻഷൻ അപേക്ഷാഫാറം

1. അപേക്ഷകന്റെ പേരും പൂർണ്ണമായ മേൽ വിലാസവും.
2. വയസ്:
3. ടി സ്ഥലത്ത് എത്രകാലമായി താമസിക്കുന്നു:
4. അപേക്ഷകൻ ബുദ്ധി സ്ഥിരതയില്ലാത്തവൻ ആണെങ്കിൽ രക്ഷകർത്താവിന്റെ പേരും പൂർണ്ണമായ മേൽവിലാസവും :
5. പ്രതിജ്ഞ :
   (1) എന്റെ കാലയാപനത്തിനു യാതൊരു മാർഗ്ഗവും ഇല്ല.
   (2) താഴെ വിവരിക്കുന്ന ബന്ധുക്കൾ എനിക്കുണ്ട്.
   അച്ഛൻ/അമ്മ/ഭർത്താവ്/ഭാര്യ/മകൻ
   (3) മുകളിൽ വിവരിച്ചിട്ടുള്ള ബന്ധുക്കളിൽ ആർക്കും പ്രതിമാസം......രൂപായിൽ കവിഞ്ഞു വരുമാനമില്ല
   (4) ഞാൻ കേരളീയനാണ്
   (5) ഗവൺമെന്റിൽ നിന്നോ മററു സ്ഥാപനങ്ങളിൽ നിന്നോ എനിക്ക് തുടർച്ചയായി ധനസഹായം യാതൊന്നും ലഭിക്കുന്നില്ല
   (6) മുകളിൽ പറഞ്ഞിരിക്കുന്ന വ്യവസ്ഥകൾ എല്ലാം സത്യമാണ്

അപേക്ഷകന്റെ ഒപ്പ്/വിരലടയാളം

സ്ഥലം :

രക്ഷാകർത്താവിന്റെ ഒപ്പ്/വിരലടയാളം

തീയതി :

6. അന്വേഷണ റിപ്പോർട്ട് :

വില്ലേജാഫീസർ

7. തഹശീൽദാരുടെ ഉത്തരവ്,

തഹശീൽദാർ

Annexure

Accounting procedure in respect of the Special Pension Scheme for the Physically Handicapped and Disabled Persons.

PART A

1. Classification of the Expenditure on the pension and M.O. Commission will be as follows:—

Item	Major Head	Minor Head	Detailed Head
Pension	288 Social Security and Welfare E Other Social Security and Welfare Programme.	(b) Pension under Social Security Schemes	3—Special Pension for the Physically Handicapped and Disabled
M.O. Commission	do.	do.	do. other charges

2. The Collector will be responsible to render the necessary monthly and annual accounts to the Accountant General.

3. The cheques drawn/remittances into Treasuries on account of this scheme will be accounted for in the cash books of the disbursing officer under the head "Special Pension Scheme to the Physically Handicapped and disabled persons—cheques/remittance into Treasuries under M — remittances-882 — (g) Miscellaneous. Remittances.

4. The Tahsildar will be the disbursing authority in respect of the scheme.

5. The Tahsildar should maintain cash book in respect of this scheme. All cheques drawn and money returned by postmen will be brought to account in the cash book on the receipt side. When the cheque is made over to the postmaster with money order form the payments should accounted for in the Cash Book debiting the expenditure to the pension Head for the amount of pension.

6. The Tahsildar should close the cash book each month on the last day and send an extract of cash book together with the following schedules to the Collector.

(i) Schedule of cheques drawn.

(ii) Schedule of remittances into Treasuries.

(iii) Schedule of undisbursed pensions returned by postmen (with items taken as credit to Revenue Head and items taken as minus debit to service Head grouped and totalled separately)

(iv) Monthly Account in Form VI appended to these Rules, in respect of the disbursement for the month.

7. The Collectors should render a single monthly account to the Accountant General in respect of the entire transactions relating to the scheme. The Accounts for the month should be send so as to reach the Accountant General on or before 15th of the succeeding month. It should be, supported with the following schedule and certificates. Each schedule should contain item-wise details of the transactions working upto the total under each head of account as posted in the monthly account.

(a) Schedules.

(i) Schedule of pension.

(ii) Schedule of cheques drawn.

(iii) Schedule of remittance into Treasury.

(iv) Schedule of undisbursed pensions returned by the Postal Department (with items taken as credit to Revenue Head and items taken as minus debit to Service Head grouped and totalled separately)

(v) Schedule of closing cash balance.

(b) Certificates to be furnished by the Collectors.

(i) Certified that the lump sum shown against each item in the monthly account agrees with the details as per subsidiary records maintained by me and with the statements and other returns received from the Tahsildar.

(ii) Certified that I have obtained certificates of cancellation of payees acknowledgement from the Tahsildar.

8. (a) As soon after the expiry of the month as possible, a monthly settlement should be effected with the Treasuries in respect of the transaction with them, of the entire District relating to this scheme.

(b) For payments into treasuries, consolidated receipts should be prepared for the whole remittance made at each Treasury and sent to the Treasury Officer for signature in the form given below.

CONSOLIDATED TREASURY RECEIPT

Received from the District Collector.............................. ....a sum of Rs............(in words)......................... ....for credit to special pension scheme for the physically handicapped and disabled remittances during...........Rs......(in figures) ....certified that the amount for which C.T.R. is furnished agrees with the amount credited in the Treasury Accounts except for the difference of Rs.........which explained below.

(i) Rs............difference shown in the previous month since adjusted in the Treasury Accounts in this month.

(ii) Rs........under reconciliation and will be adjusted in the next months accounts.

Dated......19..

District Treasury Officer.

(iii) For cheques drawn, the pass books, duly completed for the month, should be obtained from the Treasury Officers with the certificates of issues from treasuries which are prepared in the form reproduced below, and their agreement with cash books of the District should be effected in schedule of monthly settlement with Treasuries which also gives details of the differences.

"I hereby certify that the total issues made from this treasury on cheques drawn again the accounts of Sri............ ....District Collector during........19... amount to Rs................(in words)."

Note:—The pass book or list of cheques cashed is written up in form T.R.79 of the Kerala Treasury Code Volume II by a subordinate other than the one who handled the cash. It should remain in the Taluk Office as an account record of the Office and sent to the treasury periodically on fixed dates (at weekly intervals in the case of the Treasury at the District Headquarters) to be written up. The identity and amounts of the cheques entered as cashed should be examined at the earliest opportunity, the pass book being initialled (and dated) by the Tahsildar in token of the check.

9. A sample monthly account duly posted is given in Part B.

10. A form for schedule of monthly settlement with Treasuries is given in Part 'C'

PART B

Monthly account of the District Collector.. fcr pensions Under Special pension solicite for the physically Handicapped and disabled for the month of..

Sl. No.	Particulars	Amount Rs.	Classification	Sl. No.	Particulars	Amount Rs.	Classification
	Opening Balance	100.0		I	Pension paid by M.Os.,	10,000.00	288 E (b) 3- Spl. pension for the physically handicapped and disabled.
I	Undisbursed pension returned by postman		288E (b) 3 Spl. pension for the physically handicapped and disabled.				
(a)	These relating to current year	20.00					
(b)	Those relating to previous year.	30.00	088 Social Security and Welfare (c) other receipts.				
II	Cheques drawn during the month.	10,150.00	M. Remittances 882 (g) Misc. Remittances. Special pension for physically handicapped and disabled remittance. cheques.	II	Money order Commission	110.00	288 (E) (b) 3 other charges
				III	Remittances of undisbursed. in to Treasury	80.00	M. Remittance 882 (g) Misc. Remittances, Special pension for Physically handicapped and disabled remittance in to Treasury.
				IV	Closing Balance.	20.00	
		10,210.00				10,210.00	

PART C

Schedule of monthly settlement with Treasuries
(Referred to in para 8 of Annexure)

I. CASH REMITTED AND ACKNOWLEDGED

		Amount
1.	Difference brought over as per line 5 of last months' memo	
2.	Cash remitted during the month as per schedule of remittances into Treasuries	
3.	Total	
4.	Amounts acknowledged by the Treasuries as per consolidated receipts attached	
5.	* Difference	

* (1) Full details of chalan should be furnished either on the back of the schedule or in a separate statement attached to the schedule.

(2) Action taken to rectify misclassification should be furnished.

FORM No. I—A.

[*See* Rule 8 (i)]

Register of application under the Special Pension Scheme for the Physically Handicapped and Disabled Persons received by Village Officers

Sl. No.	Date of receipt of application	Name and full address of the applicant/ Beneficiary	Date on which copy of application was sent to the Tahsildar	Date on which application with report of Village Officer was sent to Tahsildar	List of report (whether recommended, if not reason there for)	Initials of Village Officer with date	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

FORM No. II

[*See* Rule 8 (i)]

Register of applications received under the Special Pension Scheme for the Physically Handicapped and Disabled Persons

Sl. No.	Date of receipt of application	Name and full address of the applicant	Date of reference for verification	Date of receipt of verification report	Nature of disposal	Date of disposal	Initials	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

FORM No. III

[*See* Rule 8 (iv)]

Register showing names of persons to whom pension is sanctioned under the Special Pension Scheme for the Physically Handicapped and Disabled Persons

Sl. No.	Name and full address of pensioner	Amount of pension	Date from which payable	No. and date of sanction order	Date of termination of pension (The date should be filled up in red ink as and when pension terminates by death or otherwise)	Account No. allotted to the pensioner	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

FORM No. IV

[*See* Rule 9 (ii)]

FORM OF AGREEMENT

Agreement executed this the..................date of.............. one thousand nine hundred and eighty..................between (herein-after called "the guardian") of the one part and the Governor of Kerala (Hereinafter called "the Government") of the other part.

Whereas Shri..............................(hereinafter called "the pensioner") who is insane/of unsound State of mind/has applied for the grant of pension under the Kerala Special Pension Scheme for the Physically Handicapped and Disabled Rules 1982 whereas the guardian has put in an application to Government requesting that the pension payable to the Pensioner may be paid to the guardian and agreeing to support the pensioner;.................

And whereas the Government have appointed Shri.................. ....as the guardian of the pensioner to receive the said pension and to support the pensioner with the said pension amount.

Now these presents witness and it is hereby agreed as follows:

1. In consideration of the sum of............agreed to he paid to the guardian per mensem with effect from..........................as pension payable to the pensioner to support the pensioner.

(a) The guardian hereby agrees to support the pensioner, so long as the guardian receives the pension, utilising the full amount of the said pension for the said purpose of supporting the pensioner.

(b) The guardian agrees that the pension amount shall be utilised only for the benefit of the pensioner and for no other purpose.

2. If the guardian fails to support the pensioner, it shall lawful for the Government to stop payment of the pension to him, to remove him from the guardianship and to appoint another in his place.

3. The guardian agrees that in case he fails to support the pensioner or in case he fails to utilise the full amount of pension to the benefit of the pensioner, or commits breach of all or any of the terms and conditions here-in contained, any part or whole of the amount so received by him along with such further sum not exceeding Rs. 200 (Rupees two hundred only) as may be fixed by the Government towards damages shall be recovered from the guardian and his Properties movable and immovable under the provisions of the Revenue recovery Act for the time being in force as though they are arrcars of land revenue and/or in any other manner as the Government may deem fit.

Notwithstanding anything herein contained it is herby expressly agreed that in case any doubt or dispute arises regarding the question whether the guardian has utilised the whole or any part of the pension amount for the benefit of the pensioner or regarding the amount to be recovered from the guardian or regarding any other manner under or by virtue of this agreement, the decision of the Government thereon shall to final and legally hinding on the guardian.

In witness whereof Shri.. Tahsildar on hehalf of Governor and Shri.. the guardian have hereunder set their hands the day and year first above written.

Signed by Shri...............

Tahsildar,

In the presence of witnesses:

1.
2.

Signed by Shri..guardian

In the presence of witnesses:

1.
2.

G. 1515

FORM No. V

[*See* Rule 11 (b)]

Register of appeal petitions received under the Special Pension Scheme for the Physically Handicapped and Disabled Persons

Sl. No.	Date of receipt of application	Name and full address of the applicant	No. and date of the order against which appeal is preferred	No. and date of final order of the Revenue Divisional Officer	Whether appeal rejected or allowed	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)

FORM No. VI

(*See* item 5 (iv) of Annexure)

District.................................Taluk...................................

Statement of Account of pension paid under Special Pension Scheme for the Physically Handicapped and Disabled Persons

Month of................

Sl. No.	No. allotted	Full address of the pensioner	Month to which payment relates	Amount of money order	Amount of money order commission	Total	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

FORM No. VII

[*See* Rule 9 (iii)]

Register of undisbursed money orders

District.................................... Taluk..................................

Date	No. allotted to the pensioner	Name of payee with full address	Month to which payment relates	Amount of money order	Date of receipt of the undisbursed money order	No. and date of the chalan remitting the amount into the Treasury	Dated initials of the officer incharge	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

FORMS No. VIII

(Forms of Sanction)

Proceedings of the Tahsildar

Special pension scheme for the Physically Handicapped and Disabled Persons (vide G.O...)

No.................   Place......................

Date......................

The Tahsildar.. has been pleased to sanction a pension to Shri/Smt.................. .... payable at...........................p.m., with effect from..........

2. The Account No. allotted to him/her is...

3. The pension will be payable subject to satisfaction of the conditions laid down in the Rules cited and is liable to cancellation or modification in accordance therewith.

Tahsildar

To

Shri/Smt..... ....

Copy to Accountant General, Kerala, Trivandrum.

District Collector...... ....

Village Officer...... ....

Kerala Gazette No. 51 dated 28th December 1982.
PART I



GOVERNMENT OF KERALA

Abstract

SOCIAL WELFARE—KERALA SPECIAL PENSION SCHEME FOR THE PHYSICALLY HANDICAPPED AND DISABLED AND MENTALLY RETARDED—TIME FOR FILING APPLICATION DURING 82-83–ORDERS ISSUED

LOCAL ADMINISTRATION AND SOCIAL WELFARE (M) DEPARTMENT

G.O. (P)No. 217/82/LA&SWD.

Dated, Trivandrum, 16th December 1982.

Read :—1. G.O. (P) 154/82/LA & SWD dated 6-9-1982.

2. Letter No. K–Dis. 19140/82/F.B (A) dated 15-11-1982 from the Secretary, Board of Revenue.

ORDER

As per the note incorporated under rule 7 of the rules for the Special Pension Scheme for the Physically Handicapped and disabled and mentally retarded persons issued in the Government Order read above, Government are pleased to prescribe a period of one month from 20-12-1982 to 19-1-1983 for applying for pension under the scheme.

By order of the Governor,
M. S. K. RAMASWAMY,
Special Secretary to Government.

To

The Secretary, Board of Revenue, Trivandrum.
All District Collectors.
All Tahsildars.
The Revenue Department.
The Director of Social Welfare.
The Chief Conservator of Forests, Trivandrum.
The Director of Public Relations.

G. 1858.

Kerala Gazette No. 51 dated 28th December 1982.
PART I

Section i

GOVERNMENT OF KERALA

Law (Legislation-Publication) Department

NOTIFICATION

No. 2803/Leg. Pbn. 2/82-I/Law. *Dated, Trivandrum, 25th February* 1982.

The following Act of Parliament, published in a Gazette of India Extraordinary, Part II, Section 1, dated the 19th December, 1981 is hereby republished for general information. The Bill as passed by the Houses of Parliament received the assent of the President on the 18th December, 1981.

By order of the Governor,
K. VISWANATHAN NAIR,
Special Secretary (Law).

THE ANTI-APARTHEID (UNITED NATIONS CONVENTION) ACT 1981 (No. 48/1981)

AN
ACT

to give effect to the International Convention on the Suppression and Punishment of the Crime of Apartheid

WHEREAS an International Convention on the Suppression and Punishment of the Crime of *Apartheid* was adopted by the General Assembly of the United Nations on the Thirtieth day of November, 1973;

AND WHEREAS India, having acceded to the said Convention should make provisions for giving effect to it:

BE it enacted by Parliament in the Thirty-second Year of the Republic of India as follows:—

1. *Short title and extent.*—(1) This Act may be called the Anti-*Apartheid* (United Nations Convention) Act, 1981.

(2) It extends to the whole of India.

2. *Application of the International Convention on the Suppression and Punishment of the Crime of Apartheid.*—(1) Notwithstanding anything to the contrary contained in any other law, such of the provisions of the Inter-

national Convention on the Suppression and Punishment of the Crime of *Apartheid* as are set out in the Schedule shall have the force of law in India:

(2) The Central Government may, from time to time, by notification in the Official Gazette, amend the Schedule in conformity with any amendments, duly made and adopted, of the provisions of the said Convention set out therein.

(3) Every notification issued under subsection (2) shall be laid, as soon as may be after it is issued before each House of Parliament.

3. *Punishment for international criminal responsibility.*—Every person to whom international criminal responsibility applies under article III of the said Convention, as set out in the Schedule, shall be punished with death, or imprisonment for life, or imprisonment for a term which may extend to ten years, and shall also be liable to fine:

Explanation.—For the purposes of this section, the reference in clause (a) of article III of the said Convention to "article II" shall be construed as a reference to the provisions of article II of that Convention as set out in the Schedule.

Offences by companies organisations or institutions.—Where an offence under this Act has been committed by a company or an organisation or an institution, every person who, at the time the offence was committed, was in charge of, and was responsible to, the company, organisation or institution, as the case may be, for the conduct of its business or affairs, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this section shall render any such person liable to any punishment provided in this Act if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

Explanation.—For the purposes of this section, "company" means any body corporate and includes a firm or other association of individuals.

5. *Place of trial.*—Any person committing an offence under section 3 may be tried for the offence in any place in which he may be found or in such other place as the Central Government may, by general or special order, published in the Official Gazette, direct in this behalf.

6. *Previous sanction of the Central Government for arrest or prosecution.*—No person shall be arrested or prosecuted in respect of any offence under section 3 except with the previous sanction of the Central Government or such officer or authority as may be authorised by that Government by order in writing in this behalf.

7. *Provisions as to Extradition Act.*—For the purposes of the Extradition Act, 1962 (34 of 1962), the offence under section 3 shall not be considered to be an offence of a political character.

THE SCHEDULE

(*See* sections 2 and 3)

Provisions of the International Convention on the Suppression and Punishment of the Crime of *Apartheid* which shall have force of Law

* * * * *

ARTICLE II

For the purpose of the present Convention, the term "the crime of *apartheid*", which shall include similar policies and practices of racial segragation and discrimination as practised in southern Africa, shall apply to the following inhuman acts committed for the purpose of establishing and maintaining domination by one racial group of persons over any other racial group of persons and systematically oppressing them :

(a) Denial to a member or members of a racial group or groups of the right to life and liberty of person :

(i) By murder of members of a racial group or groups ;

(ii) By the infliction upon the members of a racial group or groups of serious bodily or mental harm, by the infringement of their freedom or dignity, or by subjecting them to torture or to cruel, inhuman or degrading treatment or punishment ;

(iii) By arbitrary arrest and illegal imprisonment of the members of a racial group or groups ;

(b) Deliberate imposition on a racial group or groups of living conditions calculated to cause its or their physical destruction in whole or in part ;

* * * * *

(e) Exploitation of the labour of the members of a racial group or groups, in particular by submitting them to forced labour ;

(f) Persecution of organisations and persons, by depriving them of fundamental rights and freedoms, because they oppose *apartheid*

ARTICLE III

International criminal responsibility shall apply, irrespective of the motive involved, to individuals, members of organizations and institutions and representatives of the State, whether residing in the territory of the

State in which the acts are perpetrated or in some other State, whenever they :

(a) Commit, participate in, directly incite or conspire in the commission of the acts mentioned in article II of the present Convention ;

(b) Directly abet, encourage or co-operate in the commission of the crime of *apartheid*.

* * * * *

Kerala Gazette No. 51 dated 28th December 1982.
PART I **Section ii**

GOVERNMENT OF KERALA

Health (D) Department

NOTIFICATION

No. 46830/D2/82/HD. *Dated, Trivandrum, 9th October* 1982.

The following Notification No. G. S. R. 462(E) dated the 22nd June, 1982 of the Government of India, Ministry of Health and Family Welfare (Department of Health) is hereby republished for general information.

By order of the Governor,
N. KRISHNAN NAIR,
Special Secretary to Government.

GOVERNMENT OF INDIA

Ministry of Health and Family Welfare

(Department of Health)

New Delhi, the 22nd June, 1982.

NOTIFICATION

G. S. R. 462(E).—Whereas certain draft rules further to amend the Drugs and Cosmetics Rules, 1945 were published, as required by sections 12 and 33 of the Drugs and Cosmetics Act 1940 (23 of 1940) at pages 245 to 273 of the Gazette of India, Part II—Section 3—Subsection (i), dated the 7th February, 1981, under the notification of the Government of India in the Ministry of Health and Family Welfare (Department of Health) No. G.S.R. 141, dated the 28th January, 1981, inviting objections and suggestions from all persons likely to be affected thereby, before the expiry of 90 days from the date on which the copies of the Official Gazette containing the said notification were made available to the public;

And wereas the said Gazette was made available to the public on the 26th February, 1981;

And whereas objections and suggestions received from the public on the said draft rules have been considered by the Central Government;

Now, therefore, in exercise of the powers conferred by section 12 and 33 of the said Act, the Central Government after consultation with the Drugs Technical Advisory Board, hereby makes the following rules further to amend the Drugs and Cosmetics Rules 1945, namely:—

1. (i) These rules may be called the Drugs and Cosmetics [Amendment (IInd) Rules], 1982.

(ii) They shall come into force on the date of their publication in the official Cazette.

2. In the Drugs and Cosmetics Rules, 1945 (hereinafter referred to as the said rules), in rule 21, for clause (a), the following clause shall be substituted, namely:—

"(a) "Import licence" means either a licence in Form 10 to import drugs specified in Schedules C and C (I), excluding those specified in Schedule X, or a licence in Form 10-A to import drugs specified in Schedule X";

3. For rule 23 of the said rules, the following rule shall be substituted, namely:—

"23. Import licences.—An import licence in Form 10 shall be required for import of any biological or other special product specified in Schedule C or C(I), excluding those specified in Schedule X, and an import licence in Form 10-A shall be required for the import of drugs specified in Schedule X".

4. For sub-rule (1) of rule 24 of the said rules, the following sub-rule shall be substituted namely:—

"(1) An application for an import licence shall be made to the licensing authority in Form 8 for drugs specified in Schedule C or C (I), excluding those specified in Schedule X, and in Form 8-A for drugs specified in Schedule X, by the manufacturer's agent in India, and shall be accompanied by a fee of rupees fifty each, and by an undertaking in Form 9 duly signed by or on behalf of the manufacturer:

Provided that in the case of any subsequent application by the same importer for import licence for products manufactured by the same manufacturer, the fee to accompany each such application shall be rupees fifteen.".

5. For rule 25-A of the said rules, the following rule shall be substituted, namely:—

"25A—Conditions to be satisfied before a licence in Form 10 or Form 10-A is granted:—

(1) A licence in Form 10 or in Form 10-A shall be granted by the licensing authority having regard to—

(i) the premises, where the imported substances will be stocked are equipped with proper storage accommodation for preserving the properties of the drugs to which the licence applies; and

(ii) the occupation, trade or business ordinarlily carried out by the applicant;

Provided that the licensing authority may refuse to grant a licence in Form 10-A in respect of any applicant where he is satisfied,—

(a) that the applicant has not complied with the provisions of the Act or these rules or

(b) that by reasons of—

(i) his conviction under the Act or these rules or the Dangerou Drugs Act, 1930 (2 of 1930) or the rules made thereunder;

(ii) previous suspension or cancellation of the licence granted to him;

he is not a fit person to whom licence shall be granted.

(2) Any person who is aggrieved by the order passed by the licensing authority under this rule may, within thirty days of the receipt of the order, appeal to the Central Government and the Central Government may after such enquiry into the matter as it considers necessary and after giving the appellant an opportunity for making a representation in the matter, make such orders in relation thereto as it thinks fit."

6. In rule 26 of the said rules, the following proviso shall be added to condition (vi), namely:—

"Provided that in respect of the sale or distribution of drugs specified in Schedule X, the licensee shall maintain a separate record or register showing the following particulars, namely;

1. Name of the Drug,
2. Batch number,
3. Name and address of the manufacturer,
4. Date of transaction,
5. Opening stock on the business day,
6. Quantity of drug received, if any and the source from which received,
7. Name of the purchaser his address and licence number
8. Balance quantity of drug at the end of the business day,
9. Signature of the person under whose supervision the drugs have been supplied."

7. In rule 27 of the said rules, the words, figures and letter "or Form 10-A, as the case may be" shall be inserted at the end.

8. In rule 59 of the said rules, for sub-rules (2) and (3), the following sub-rules shall be substituted, namely:—

"(2) Application for the grant or renewal of a licence to sell, stock or exhibit for sale or distribute drugs, other than those included in Schedule X, shall be made in Form 19 or Form 19-A, as the case may be, or in the case of drugs included in Schedule X shall be made in Form 19-C, to the licensing authority and shall be accompaned by a fee of rupees forty;

Provided that in the case of an itinerant vendor or an applicant who desires to establish a shop in a village or town having population of 5,000 or less, the application in Form 19-A shall be accompanied by a fee of rupees ten.

(3) A fee of rupees six shall be paid for a duplicate copy of a licence to sell, stock, exhibit for sale or distribute drugs, other than those included in Schedule X, or for a licence to sell, stock, exhibit for sale or distribute drugs included in Schedule X, if the original is defaced, damaged or lost;

Provided that in the case of itinerant vendor or an applicant who desires to establish a shop in a village or town having a population of 5,000 or less, the fee for a duplicate copy of a licence if the original is defaced, damaged or lost, shall be rupees two.

(4) Application for renewal of a licence to sell, stock or exhibit for sale or distribute drugs, after its expiry but within six months of such expiry shall be accompanied by a fee of rupees forty, plus an additional fee at the rate of rupees thirty per month or part thereof:

Provided that in the case of an itinerant vendor or an applicant desiring to open a shop in a village or town having a population of 5,000 or less the application for such renewal shall be accompanied by a fee of rupees ten, plus an additional fee at the rate of rupees eight per month or part thereof."

9. For rule 61 of the said rules, the following rule shall be substituted namely:—

"61. Forms of licences to sell drugs.

(1) A licence to sell, stock or exhibit for sale or distribute drugs other than those specified in Schedules C, C(1) and X and by retail on restricted licence or by wholesale, shall be issued in Form 20, Form 20-A or Form 20-B, as the case may be:

Provided that a licence in Form 20-A shall be valid for only such drugs as are specified in the licence.

(2) A licence to sell, stock, exhibit for sale or distribute drugs specified in Schedule C and C(1) excluding those specified in Schedule X, by retail on restricted licence or by wholesale shall be issued in Form 21, Form 21-A or Form 21-B, as the case may be.

Provided that licence in Form 21-A shall be valid for only such drugs as are specified in the licence.

(3) A licence to sell, stock or exhibit for sale or distribute drugs specified in Schedule X by retail or by wholesale shall be issued in Form 20-F or Form 20-G as the case may be."

10. In rule 63A of the said rules, after the figures and letter "20-B"; the figures and letters "20-F", and "20-G", shall be inserted.

11. In rule 64 of the said rules.

(i) in the heading and sub-rule (1), for the words, figures and letters, "Form 20, 20-B, 21 or 21-B" the words, figures and letters "Form 20, 20-B, 20F, 20-G, 21 or 21-B" shall be substituted;

(ii) to sub-rule (1), the following further proviso shall be added, namely:—

"Provided further that licence in Form 20-F shall be granted only to a pharmacy and in areas where a pharmacy is not operating, such licence may be granted to a chemist and druggist."

12. In rule 65 of the said rules,—

(i) In the opening paragraph, for the words, figures and letters "Form 20, 20-A, 20-B, 21, 21-A and 21-B", the words, figures and letters "Form 20, 20-A, 20-B, 20-F, 20-C, 21 and 21B" shall be substituted;

(ii) for condition (1), the following conditions shall be substituted, namely:—

"(1) Any drug shall, if compounded or made on the licencee's premises, be compounded or made by or under the direct and personal supervision of a qualified person.";

(iii) In condition (2), the words and letter "of a drug specified, in Schedule E or any preparation containing any such drug, and" shall be omitted;

(iv) in condition (3) (1),—

(a) in the opening paragraph, after the words "The supply of any drug" the words "other than those specified in Schedule X" shall be inserted;

(b) in clause (f), for the words and letters "Schedule C Schedule H or Schedule L", the words and letters "Schedule C or Schedule H" shall be substituted;

(c) in the third proviso, in clause (ii), for the words and letters "Schedule C.E. or L", the words and letters "Schedule C or Schedule H" shall be substituted;

(v) in condition (4)(1), the words and letter "or Schedule E" shall be omitted;

(vi) for condition (9), the following condition shall be substituted, namely:—

"(9)(a) Substances specified in Schedule H or Schedule X shall not be sold by retail except on and in accordance with the prescription of a Registered Medical Practitioner and in the case of substances specified in Schedule X, the prescriptions shall be in duplicate, one copy of which shall be retained by the licensee for a period of two years.

(b) The supply of drugs specified in Schedule H or Schedule X to Registered Medical Practitioners, Hospitals, Dispensaries and Nursing Homes shall be made only against the signed order in writing which shall be preserved by the licensee for a period of two years";

(vii) in condition (11), after the word and letter "Schedule H" words and letter "and Schedule X" shall be inserted;

(viii) in condition (11-A) for the words and letters,"Schedule H or L" the words and letters "Schedule H or X" shall be substituted;

(ix) for condition (12), the following condition shall be substituted, namely.—

"(12) Substances specified in Schedule X kept in retail shop or premises used in connection therewith shall be stored—

(a) under lock and key in cupboard or drawer reserved solely for the storage of these substances; or

(b) in a part of the premises separated from the remainder of the premises and to which only responsible persons have access.";

(x) condition (13) and (14) shall be omitted;

(xi) in condition (15) clause (i) to explanation shall be omitted;

(xii) after condition (20), the following condition shall be inserted, namely:—

"(21) (a) The supply of drugs specified in Schedule X shall be recorded at the time of supply in a register (bound and serially page numbered) specially maintained for the purpose and separate pages shall be allotted for each drug.

(b) The following particulars shall be entered in the said register, namely:—

(i) Date of transaction;
(ii) Quantity received, if any, the name and address of the supplier and the number of the relevant licence held by the supplier;
(iii) Name of the drug;
(iv) Quantity supplied;
(v) Manufacturer's name;
(vi) Batch No. or Lot No.;
(vii) Name and address of the patient/purchaser;
(viii) Reference Number of the prescription against which supplies were made.
(ix) Bill No. and date in respect of purchases and supplies made by him;
(x) Signature of the person under whose supervision the drugs have been supplied".

13. 'In rule 69 of the said rules, for sub-rules (1) to (4) the following sub-rules shall be substituted, namely.—

"(1) Application for grant or renewal of licence to manufacture for sale of drugs, other than those specified in Schedule C and C(1)

shall be made to the licensing authority appointed by the State Government for the purpose of this Part (hereinafter in this Part referred to as the licensing authority) and shall be made—

(a) in the case of repacking of drugs excluding those specified in Schedule X for sale or distribution in Form 24-B;

(b) in the case of manufacture of drugs included in Schedule X in Form 24-F;

(c) in any other case, in Form 24.

(2)(a) Every application in Form 24-B shall be accompanied by a fee of rupees eighty plus an inspection fee of rupees twenty for the first inspection and rupees ten in the case of the second or every subsequent inspection or for purposes of renewal of the licence.

(b) Every application in Form 24-F shall be accompanied by a fee of rupees eight hundred and an inspection fee of rupees two hundred for the first inspection and rupees one hundred in the case of second or every subsequent inspection or for purposes of renewal of the licence.

(c) Every application in Form 24 shall be accompanied by a fee of rupees four hundred and an inspection fee of rupees one hundred for the first inspection and rupees fifty in the case of the second or every subsequent inspection or for purposes of renewal of the licence.

(3) If a person applies for the renewal of a licence after the expiry thereof but within six months of such expiry the fee payable for the renewal of such licence shall be:—

(i) in the case of Form 24-B rupees eighty plus an additional fee at the rate of rupees thirty per month or part thereof in addition to the inspection fee;

(ii) in the case of Form 24-F rupees eight hundred plus an additional fee at the rate of rupees four hundred per month or part thereof in addition to the inspection fee;

(iii) in the case of Form 24 rupees four hundred plus an additional fee at the rate of rupees one hundred and fifty per month or part thereof in additional to the inspection fee.

(4) A fee rupees fifteen, two hundred or sixty five shall be paid respectively for a duplicate copy of the licence issued under clause (a), clause (b) or clause (c) of sub-rule (1) if the original is defaced, damaged or lost."

14. In rule 69-A of the said rules, for the words, letters, brackets and figures "specified in Schedule C and C(1)", the words, letters, brackets and figures "specified in Schedules C, C(1) and X" shall be substituted.

15. For rule 70 of the said rules, the following rule shall be substituted namely:—

"70 Form of licence to repack or manufacture drugs other than those specified in Schedule C and C(1)—Licences for repacking of drugs against application in Form 24-B shall be granted in Form

25-B, licences for manufacture or drugs included in Schedule X against application in Form 24-F shall be granted in Form 25-F and licences for manufacture of drugs against application in Form 24 shall be granted in Form 25".

16. In rule 70-A of the said rules including the heading for the words, letters, brackets and figure "specified in Schedule C and C(1)", the words, letters, brackets and figure "specified in Schedules C,C(1) and X" shall be substituted.

17. In rule 71 of the said rules, in the heading, opening paragraph and proviso to condition (1), after the word and figures "Form 25", the words, figures and letter "or Form 25-F" shall be inserted.

18. In rule 72 of the said rules, for the words, figures and letter "or in Form 25-B", the words, figures and letters "Form 25-B or Form 25-F" shall be substituted.

19. For rule 73 of the said rules, the following rule shall be substituted, namely:—

"73. Certificate of renewal—The certificate of renewal of a licence in Form 25 or Form 25-F shall be issued in Form 26 or Form 26-E respectively."

20. In rule 74 of the said rules,—

(i) in the heading and opening paragraph, for the word and figures "Form 25" the words, figures and letter "Form 25 and Form 25-F" shall be substituted;

(ii) after condition (l), the following condition shall be inserted, namely:—

"(m) the licencee, who has been granted a licence in Form 25-F, shall—

(i) forward to the licensing authority of the concerned States of manufacture and supply of the drug a statement of the sales effected to the manufacturers, wholesalers, retailers, hospitals, dispensaries and nursing homes and Registered Medical Practitioners every three months;

(ii) maintain accounts of all transactions giving details as indicated below in a register bound and serially page numbered and such records shall be retained for a period of five years or one year after the expiry of potency, whichever is later:—

A. Accounts of the drugs specified in Schedule X used for the manufacture:—

1. Date of issue.
2. Name of the drug.
3. Opening balance of stock on the production day.
4. Quantity received, if any, and source from where received.
5. Quantity used in manufacture.
6. Balance quantity on hand at the end of the production day.
7. Signature of the person in charge.

B. Accounts of production:—

1. Date of manufacture,
2. Name of the drug,
3. Batch Number,
4. Quantity of raw material used in manufacture,
5. Anticipated yield,
6. Actual yield,
7. Wastage,
8. Quantity of the manufactured goods transferred.

C. Accounts of the manufactured drugs:—

1. Date of manufacture,
2. Name of the drug,
3. Batch Number,
4. Opening Balance,
5. Quantity manufactured,
6. Quantity sold,
7. Name of the purchaser and his address,
8. Balance quantity at the end of the day,
9. Signature of the person-in-charge.

(n) The licensee shall store drugs specified in Schedule X in bulk form and when any of such drug is required for manufacture in a place other than its place of storage it shall be kept in a separate place under the direct custody of a responsible person.".

21. For rule 75 of the said rules, the following rule shall be substituted, namely:—

"75. Forms of application for licence to manfacture for sale or distribution of drugs specified Schedule C, C(1) and X—

(1) Applications for the grant or renewal of licence to manufacture for sale or distribution of drugs specified in Schedules C and C (1) excluding those specified in Schedule X, shall be made to the licensing authority in Form 27, and shall be accompanied by a fee of rupees six hundred and an inspection fee of rupees four hundred for the first inspection or rupees two hundred in the case of second or every subsequent Inspection or for the purposes of renewal of the licence:

Provided that if the application for the renewal of licence is made after its expiry but within six months of such expiry the fee payable for renewal of the licence shall be rupees six hundred plus an additional fee or rupees three hundred per month or a part thereof in addition to the inspection fee.

(2) Application for grant or renewal of licence to manufacture for sale or distribution of drugs specified in Schedule C, C(1) and X shall be made to the licensing authority in Form 27-B and shall be accompanied by a fee of rupees twelve hundred and an inspection fee of rupees four hundred for the first inspection or

rupees two hundred in the case of second or every subsequent inspection or for the purposes of renewal of the licence:

Provided that the applicant shall possess a licence in Form 28 to manufacture such drugs:

Provided further that if the application for renewal of a licence is made after its expiry but within six months of such expiry , the fee payable for renewal of the licence shall be rupees twelve hundred plus an additional fee of rupees six hundred per month or a part thereof in addition to the inspection fee.

(3) A fee of rupees one hundred or two hundred shall be paid respectively, for a duplicate copy of licence issued under sub-rule (1) or sub-rule (2), if the original is defaced, damaged or lost.

(4) Application for including any additional drug in the licence for its manufacture shall be accompanied by a fee of rupees fifty for "each drug subject to a maximum of rupees six hundred".

22. In rule 75-A of the said rules, in sub-rule (1), after the words, letters, brackets and figure "Schedules C and C (1)", the words and letters "excluding those specified in Schedule X" shall be inserted.

23. In rule 76 of the said rules, for the heading and the opening paragraph, the following heading and paragraph shall be substituted, namely:—

"Forms of licences to manufacture drugs specified in Schedule C and and C(1), excluding those specified in Schedule X, or drugs specified in Schedules C, C (1) and X and the conditions for the grant or renewal of such licences:—

A licence to manufacture for sale of drugs specified in Schedule C and C (1) excluding those specified in Schedule X shall be issued in Form 28 and a licence to manufacture for sale of drugs specified in Schedule C, C (1) and X shall be issued in Form 28-B. Before a licence in Form 28 or Form 28-B is granted or renewed the following conditions shall be complied with by the applicant:—

24. In rule 76-A of the said rules, in the heading and opening paragraph, after the words, letters, brackets and figures "Schedules C and C (1)", the words and letters, "excluding the drugs specified in Schedule X" shall be inserted.

25. In rule 77 of the said rules, for the words and figures, "Form 28 or a renewed licence in Form 26" the words, figures and letters "Form 28 and 28-B or renewed licence in Form 26 and 26-F" shall be substituted.

26. In rule 78 of the said rules.—(i) in the opening paragraph after the word and figures "Form 28", the words, figures and letter "or Form 28-B" shall be inserted;

(ii) after condition (m), the following conditions shall be inserted, namely:—

(n) The licensee, who has been granted a licence in Form 28-B shall—

(i) forward to the licensing authority of the concerned States of manufacture and supply of drug a statement of the sales effected to the manufacturers, wholesalers, retailers, hospitals, dispensaries, Nursing Homes and Registered Medical Practioners every three months.

(ii) maintain accounts of all transactions giving details as indicated below in a register bond and serially page numbered, and such records shall be retained for a period of five years or one year after the date of expiry of potency, whichever is later.

A. Accounts of the drugs specified in Schedule X used for the manufacture:—

1. Date of issue.
2. Name of the drug.
3. Opening balance of stock on the production day.
4. Quantity received, if any, and source from where received.
5. Quantity used in manufacture.
6. Balance quantity on hand at the end of the production day.
7. Signature of the person-in-charge.

B. Accounts of Production:—

1. Date of manufacture.
2. Name of the drug.
3. Batch number.
4. Quantity of raw material used in manufacure.
5. Anticipated yield.
6. Actual yield.
7. Wastage.
8. Quantity of the manufactured goods transferred to stock.

C. Accounts of manufactured drugs:—

1. Date of manufacture.
2. Name of the drug.
3. Batch Number.
4. Opening Balance.
5. Quantity manufactured.
6. Quantity sold.
7. Name of purchaser and his address.
8. Balance quantity at the end of the day.

(o) The licencee shall store drugs specified in Schedule X in bulk form and when any such drug is required for manufacture it shall be kept in a separate place under direct custody of a responsible person."

27. In rules 79,81 and 82 of the said rules, after the word and figures "Form 28", the words, figures and letter "or Form 28-B" shall be inserted.

28. In rule 83 of the said rules, after the word and figures "Form 26" the words, figures and letter "or Form 26-F" as the case may be shall be inserted.

29. In rule 84-A of the said rules, for the words, figures and letters "Form 25, 25-A, 25-B, 26, 26-A, 26-B, 28 and 28- A" the words, figures and letters. "Forms 25, 25-A, 25-B, 25F, 26, 26-A, 26-B, 26-F, 28, 28-A and 28-B", shall be substituted.

30. In rule 94 of the said rules, in sub-rule (2), in clause (i) for sub-clause (e), the following sub-clause shall be substituted, namely:—

"(e) The words "For External use only" shall be printed on the label if the medicine is for external application".

31. In rule 96 of the said rules, in sub-rule (i), after clause (ix) the following shall be inserted, namely:—

"(x) if any preparation contains not less than 3 per cent by volume of alcohol the quantity of alcohol shall be stated in terms of the average percentage by volume of absolute alcohol in the finished products."

32. In rule 97 of the said rules,

(i) for sub-rules (1) and (2), the following sub-rules shall be substituted, namely:—

(1) The container of a medicine for internal use shall

(a) if it contains a substance specified in Schedule G, be labelled with the words Caution "it is dangerous to take this preparation except under medical supervision"—conspicuiously printed and surrounded by a line within which there shall be no other words.

(b) if it contains a substance specified in Schedule H be labelled with the symbol RX and conspicuonsly displyed on the left top corner of the lable and be also labelled with the following words:— "Schedule H drug-Warning: To be sold by retail on the prescription of a Registered Medical Practitioner only.";

(c) If it contains a substance specified in Schedule H and comes within the purview of the Dangerous Drugs Act, 1930 be labelled with the symbol NRX which shall be in red and conspicuously displayed on the left top corner of the label, and be also labelled with the following words:—"Schedule H drug-Warning To be sold by retail on the prescription of a Registered Medical Practitioner only.";

(d) if it contains a susbstance specified in Schedule X, be labelled with the symhol XRX which shall be in red conspicuously displayed on the left top corner of the label, and be also labelled with the follonwig words:—

"Schedule X drug Warning: to he sold by retail on the prescription of a Registered Medical Practitioner only."

(2) The container of an embrocation, liniment, lotion, liquid antiseptic or other liquid medicine for external application shall be labelled with the words in capital "For External use only";

(ii) sub-rule (4) shall be omitted;

(iii) sub-rule (5) shall be re-numbered, as (4) and after sub-rule (4) as so renumbered, the following sub-rule shall be inserted:—

"(5) Substances specified in Schedule X in bulk form shall bear a label wherein the symbol as specified in sub-rule (1) shall be given conspicuously in red letters."

33. Rules 98, 99, 100 and 101 of the said rules shall be omitted.

34. After rule 105 of the said rules, the following rule shall be inserted, namely:—

"105-A Packing of drugs specified in Schedule X—

The drugs specified in Schedule X shall be marketed in packings not exceeding—

(i) 100 unit doses in the case of tablets/capsules;
(ii) 300 ml. in the case of oral liquid preparations;
(iii) and 5 ml. in the case of injections:

Provided that nothing in this rule shall apply to packings meant for use of a hospital or a dispensary subject to the conditions that:—

(i) such supplies are made by the manufacturers or distributors direct to the hospital/dispensaries; and

(ii) hospital packs shall not be supplied to a retail dealer or to a Registered Medical Practitioner."

35. In rule 106 of the said rules, the Explanation shall be omitted.

36. In Schedule A of the said rules,—

(i) In Form 8, the heading, after the words, letters, brackets and figure "in Schedules C and C(1)" the words and letter "excluding those specified in Schedule X" shall be inserted;

(ii) after Form 8, the following Form shall be inserted namely:—

"FORM 8A

(See Rule 21)

Application for licence to import drugs specified in schedule X to the Drugs and Cosmetics Rules, 1945.

I/We————hereby apply for a licence to import drugs specified below manufactured by————of————.

Name of the drugs and classes of drugs:

I/We————enclose herewith an undertaking signed by or on behalf of the manufacturers as required by the Drugs and Cosmetics Rules, 1945.

A fee of rupees fifty has been credited to Government under the Head of Account "080-Medical-Miscellaneous-fee under the Drugs and Cosmetics Rules, 1945-Central" vide treasury receipt attached.

Date————————————manufacturers Agent."

(iii) in Form 9, in para 2, for the words, brackets, letters and figures "clause (a) to (e) of rule 78" the words and figures "rules 74 and 78."

(iv) in Form 10,—

(a) for the words and figures "See Rule 27", the words and figures "See rule 23 and 27" shall be substituted;

(b) in the heading, after the words, letters, brackets and figure "in Schedule C and C(1)", the words and letters "excluding those specified in Schedule X" shall be inserted;

(v) after Form 10, the following Form shall be inserted.

"FORM 10-A

[See Rules 23 and 27]

Licence to import drugs specified in Schedule X to the Drugs and Cosmetics Rules, 1945.

Number of Licence

1.————is hereby licensed to import into India the period for which this licence is in force the drugs specified below manufactured by————— of—————and any other drugs manufactured by—————as may from time to time by endorsed on this licence.

2. This is subject to the conditions prescribed in the Drugs and Cosmetics Rules, 1495 and shall be in force from—————to—————unless it is sooner suspended or cancelled under the said rules.

Name of the drugs:

3. The licence shall inform the licensing authority in writing in the event of any change in the constitution of the firm operating under the licence. Where any change in the constitution of the firm takes place, the current licence shall be deemed to be valid for a maximum period of three months from the date on which the change takes place unless in the meantime a fresh licence has been taken from the licensing authority in the name of the firm with the changed constitution.

Date: Licensing Authority".

(vi) for Form 19, the following Form shall be substituted, namely:—

"FORM 19

[See Rule 59(2)]

Application for grant or renewal of a licence to sell, stock or exhibit for sale or distribution of drugs other than those specified in Schedule X.

1. I/We—————hereby apply for licence to sell by "wholesale/retail drugs specified in Schedules C and C (1) excluding those specified in Schedule X and/or drugs other than those specified in Schedule C, C(1) and X to the Drugs and Cosmetics Rules, 1945 and also to operate a pharmacy on the premises situated at————— —————

2. **The sale and dispensing of drugs will be made under the personal supervision of a qualified, person, namely:—

(Name)————————————(Qualification).

(Name)————————————(Qualification).

3. Categories of drugs to be sold.

4. ***Particulars for special storage accommodation.

5. A fee of rupees————has been credited to the Government account under the head of account————————————.
Date ——————

signature——————

---

* Delete whichever is not applicable.

** To be deleted if drugs will be sold only by wholesale

*** Required only if products requiring special storage are to be sold".;

(vii) In Form 19-A for the words, letters, brackets and figures "Drugs other than those specified in Schedules C and C (1)", in two places where they occur, the words, letters, brackets and figure "Drugs other than those specified in Schedule C, C(1) and X" shall be substituted;

(viii) after Form.19-B, the following Form shall be inserted, namely:—

"FORM 19-C

[See Rule 59 (2)]

Application for grant or renewal of a licence to sell, stock or exhibit for ale or distribution of drugs specified in Schedule X.

1. I/We..........of........hereby apply for a licence to sell by *wholesale/retail drugs specified in Schedule X to the Drugs and Cosmetics Rules, 1945. We operate a pharmacy on the premises, situated at.........

2. **The sale and dispensing of drugs will be made under the personal supervision of the qualified persons mentioned below:—

(Name)——————(Qualification)

(Name)——————(Qualification)

3. Name of drugs to be sold.

4. ***Particulars of storage accommodation.

5. A fee of rupees..........has been credited to Government account under the head of account......................

Date..................

Signature....................

---

*Delete whichever is not applicable.

**To be deleted if drugs will be sold only by whole sale.

***Required only if products requiring special storage are to be sold".;

(ix) in Forms 20, 20-A, 20-B, 24, 24-A, 25 and 25-A, for the words, letters, brackets and figures "Schedules C and C (1)" wherever they occur, the words, letters, brackets and figure "Schedule C,C (1) and X" shall be substituted;

(x) after Form 20-E, the following Forms shall be inserted, namely:—

"FORM 20-F

[See Rule 61 (3)]

Licence to sell, stock or exhibit for sale or distribute by retail drugs specified in Schedule X.

1...............is hereby Licensed to sell, stock or exhibit for sale or distribute by retail drugs specified in Schedule X to the Drugs and Cosmetics Rules, 1945 on the premises situated at............................

2. Names of drugs.
3. This licence shall be in force from..............to.............
4. Name(s) of qualified person-in-charge.
5. The licence is subject to the conditions stated below and the provisions of the Drugs and Cosmetics Act, 1940 and the Rules, made thereunder.

Date......................

Licence No........................

Licensing Authority.

Conditions of the Licence

1. This licence shall be displayed in a prominent place in a part of the premises open to the public.

2. The licensee shall report to the licensing authority any change in the qualified staff-in-charge within one month of such change.

3. No drug shall be stocked or sold unless such drug has been purchased under cash/credit memo from a duly licensed dealer or a duly licensed manufacturer.

4. The licensee shall inform the licensing authority in writing in the event of any change in the constitution of the firm operating under the licence. Where any change in the constitution of the firm takes place, the current licence shall be deemed to be valid for a maximum period of three months from the date on which the change takes place unless in the meantime, a fresh licence has been taken from the licensing authority in the name of the firm with the changed constitution.

FORM 20-G

[See Rule 61 (3)]

Licence to sell, stock or exhibit for sale or distribute by wholesale drugs specified in Schedule X.

I,————is hereby licensed to sell, stock or exhibit for sale or distribute by wholesale drugs specified in Schedule X to the Drugs and Cosmetics Rules, 1945 on the premises situated at————————

2. Names of drugs————————

3. This licence shall be in force from————to————

4. This licence is subject to the conditions stated below and the provisions of the Drugs and Cosmetics Act, 1940 and the Rules made thereunder.

Date:————

Licence No.————

Licensing Authority.

Conditions of the Licence

1. This licence shall be displayed in a prominent place in a part of the premises open to the public.

2. The licensee shall comply with the provisions of the Drugs and Cosmetics Act, 1940 and the rules made thereunder.

3. No drugs shall be stocked or sold unless such drug has been purchased under a cash or credit memo from a duly licensed dealer or a duly licensed manufacturer.

4. The licensee shall forward to the licensing authority copies of the invoices of sales made to the retail dealers.

5. No sale of any drug by wholesale shall be made to a person not possessing the requisite licence to sell, stock or exhibit for sale or distribute drugs specified in Schedule X:

Provided that this condition shall not apply to the sale of any drug to—

(a) an officer or authority purchasing on behalf of Government;

(b) a hospital, medical, educational or research institution, nursing home, Registered Medical Practitioner for the purpose of supply to its/his patients or manufacturer holding a licence in Form 25-E or 28-B to manufacture the drugs containing drugs included in Schedule X."

(xi) in Forms 21, 21-A, 21-B, 27-A, 28 and 28-A, after the words, letters, brackets and figure "Schedule C and C(1)" wherever they occur, the words and letter, "excluding those specified in Schedule X" shall be inserted;

(xii) in Form 21-C, in paragraph 1, for the word, figures and letters "Forms 20, 20-A, 20-B, 21, 21-A, 21-B" the words, figures and letters "Forms 20, 20A, 20-B, 20-F, 20-G, 21, 21-A or 21-B" shall be substituted;

(xiii) in Forms 24-B, 25-B and 26-B, in the heading, after the words, letters, brackets and figure "Schedule C and C(1)", the words, and letters "excluding those specified in Schedule X" shall be inserted;

(xiv) after Form 24-E, the following Form shall be inserted namely:—

"FORM 24-F

(See Rule 69)

Application for the grant or renewal of a licence to manufacture for sale drugs specified in Schedule X and not specified in Schedules C and C(1),

1. I/We——————of——————hereby apply for the grant/renewal of licence to manufacture on premises situated at——————the undermentioned drugs, specified in Schedule X to the Drugs and Cosmetics Rules, 1945.

2. Name of drugs.

3. Names, qualifications and experience of technical staff employed for manufacture and testing.

4. A fee of rupees——————has been credited to Government account under the head of account ——————

Date——————

Signature——————

Designation——————".

(xv) after Form 25-E, the following Form shall be inserted, namely:—

"FORM 25-F

(See Rule 70)

Licence to manufacture for sale drugs specified in Schedule X and not specified in Schedule C and C(1).

I,——————of——————is hereby licensed to manufacture at the premises situated at——————the following drugs specified in Schedule X to the Drugs and Cosmetics Rules, 1945.

2. Names of drugs.

3. Names of approved expert staff.

4. The licence authorises the sale by way of wholesale dealing and storage for sale by the licensee of the drugs manufactured under the licence subject to the conditions applicable to licence for sale.

5. The licence shall be in force from ——————to——————

6. The licence is subject to the conditions stated below and to other conditions as may be specified in the rules for the time being in force under the Drugs and Cosmetics Act, 1940.

Date of issue——————

Licence No.——————

Signature——————

Designation——————.

Conditions of the licence

1. This licence and any certificate of renewal in force shall be kept on the licensed premises and shall be produced at the request of an Inspector appointed under the Drugs and Cosmetics Act, 1940.

2. If the licensee wishes to undertake during the currency of the licence the manufacture of any drug specified in Schedule X not included above, he should apply to the licensing authority for the necessary endorsement to this licence. This licence shall be deemed to extend to only those items so endorsed

3. Any change in the experts staff shall be forthwith reported to the licensing authority.

4. The licensee shall inform the licensing authority in writing in the event of any change in the constitution of the firm operating under this licence. Where any change in the constitution of the firm takes place the current licence shall be deemed to be valid for the maximum period of three months from the date on which the change takes place unless in the meantime a fresh licence has been taken from the licensing authority in the name of the firm with the changed constitution.

5. The licensee shall furnish to the licensing authority copies of the invoice of sales made to dealers.

6. The licensee shall not manufacture drugs covered by this licence for use as 'Physicians Samples,'';

(xvi) for Forms 26 and 26-A the following Forms shall be substituted namely:—

"FORM 26

(See Rules 73 and 83)

Certificate of renewal of licence to manufacture for sale of drugs other than those specified in Schedule X.

1. Certified that licence No.——————granted on the—————————————to——————for the manufacture

of the following categories of drugs being

*drugs other than those specified in Schedule C,C(1) and X——————————————

drugs specified in Schedule C and C(1) excluding those specified in Schedule X to the Drugs and Cosmetics Rules, 1945, at the premises situated at——————————————has been renewed from——————————————to——————————

2. Name (s) of approved except staff——————————

Date——————————

Signature ——————————

Designation ——————————

*Delete whatever portion is not required.

"FORM 26-A

(See Rules 73-A and 83-A)

Certificate of renewal of loan licence to manufacture for sale drugs other than those specified in Schedule X.

1. Certified that a loan licence No.—————— granted on the——————————to—————— for the manufacture of * drugs other than those specified in Schedule C, C(1) and X——————————

the undermentioned drugs being drugs specified in Schedule C and C(1) excluding those specified in Schedule X, to the Drugs and Cosmetics Rules, 1945, at the premises situated at————————C/o————has been renewed from——————————to————————————

2. Names of the drugs (each substance to be separately specified).

3. Names of the approved expert staff.

Date————————————

Signature ——————

Designation ——————————

*Delete whatever portion is not required.";

(xvii) after Form 26-F, the following Form shall be inserted, namely:—

"FORM 26-F

(See Rules 73 and 83)

Certificate of renewal of licence to manufacture for sale drugs specified in Schedule X.

1. Certified that Licence No.——————————granted on the ——————————————to——————for the manufacture of drugs specified in Schedule X to the Drugs and Cosmetics, Rules, 1945, at the premises situated at——————————————has been renewed from—————————————— to ——————————————

2. Names of drugs (each substance to be separately specified).

3. Names of the approved expert staff.

Date——————————————

Signature————

Designation———————————"

(xviii) in Form 27,—

(a) in the heading after the words, letters, brackets and figure "Schedules C and C(1)", the words and letters "excluding those specified in Schedule X" shall be inserted;

(b) in paragraph 1, for the words, letters, brackets and figures "Schedules C and/or C(1)", the words, letters, brackets and figures "Schedules C and C(1), excluding those specified in Schedule X" shall be substituted.

(xix) after Form 27-A, the following Form shall be inserted, namely:—

"FORM 27-B

Application for grant of renewal of a licence to manufacture for sale drugs specified in Schedules C, C(1) and X.

1. I/We ——————————————of———————————hereby apply for the grant/renewal of a licence to manufacture on the premises situated at—————————————— the undermentioned drugs, specified in Schedules C, C(1) and X to the Drugs and Cosmetics Rules, 1945.

2. Names of drugs.

3. The names, qualifications and experience of the expert staff responsible for the manufacture and testing of the above mentioned drugs.

(a) Name(s) of staff responsible for test.

(b) Name(s) of staff responsible for manufacture.

4. The premises and plant* are ready for inspection/will be ready for inspection on——————————

5. A fee of rupees——————————and an inspection fee of rupees has been credited to the Government under the head of account ———
Date ——————————

Signature ——————————

The application shall be accompanied by a plan of the premises.
*Delete whichever is not applicable.";

(xx) after Form 28-A the following Form shall be inserted, namely:—

"FORM 28-B

(See Rule 76)

Licence to manufacture for sale drugs specified in Schedules C, C(1) and X
No. of Licence——————————

1. ——————————is hereby licensed to manufacture at the premises situated at——————————the following drugs specified in Schedule C,C(1) and X to the Drugs and Cosmetics Rules, 1945.

Name of drugs——————————

2. Name of approved expert staff.

3. The licence authorises the sale by way of wholesale dealing and storage for sale by the licensee of the drugs manufactured under the licence subject to the conditions applicable to licence for sale.

4. The licence will be in force from————to——————————

5. The licence is subject to the conditions stated below and to such other conditions as may be specified in the rules for the time being in force under the Drugs and Cosmetics Act, 1940.

Date——————————

Signature ————

Designation——————————

Conditions of the licence

1. The licence and the certificate of renewal inforce shall be kept at the approved premises and shall be produced at the request of the Inspector appointed under the Drugs and Cosmetics Act, 1940.

2. If the licensee wishes to undertake during the curreney of the licence the manufacture of any drug specified in Schedule X not included above, he should apply to the Licensing Authority for the necessary endoresement as

provided in rule 75(4). This licence will be deemed to be applicable to the items so endorsed.

3. Any change in the expert staff shall be forthwith reported to the licensing authority.

4. The licensee shall inform the licensing authority in writing in the event of any change in the constitution of the firm operating under licence. Where any change in the constitution of the firm takes place, the current licence shall be deemed to be valid for a maximum period of three months from the date on which the change takes place unless, in the meantime a fresh licence has been taken from the licensing authority in the name of the firm with the changed constitution.

5. The licensee shall furnish to the licensing authority copies of invoices of sales made to dealers.

6. The licensee shall not manufacture drugs specified in Schedule X covered by this licence for use as "Physicians Samples".

37. Schedule E of the said rules shall be omitted.

38. For Schedule G of the said rules the following Schedule shall be substituted namely;

"SCHEDULE G

(See Rule 97)

Aminopterin
L-Asparaginase
Bleomycin
Busulphan; its salts
Carbutamide
Chlorambucil; its salts
Cholorothiazide and other derivatives of 1,2,4 benzothiadrazine
Chlorpropamide; its salts
Chlorthalidone and other derivatives of Chlorobenezene compound
Cyclophosphamide; its salts
Daunorubicin
Di-Isopropyl Eluorophosphate
Disodium Stilhoestorl Diphosphate
Doxorubicin Hydrochloride
Ethacrynic Acid; its salts
Ethosuximide
Glibenclamide
Hydantoin; its salts, its derivatives, their salts
Hydroxyyurea
Insulin, all types
Mannomustine; its salts
Mercaptopurine; its salts
Metformin; its salts
Methsuximide

Mustine; its salts
Paramethadione
Phenacemide
Phenformin; its salts
5-Phenylhydantoin; its alkly and aryl derivatives; its salts
Primidone
Quinthazone
Sarcolysine
Testolactone
Thiotepa
Tolbutamide
Tretinoin, its salts
Troxidone.
Anthistaminic substances the following, their salts, their derivatives, slats of their derivatives
Antazoline
Bromodiphenhydramine
Buclizine
Chlorcyelizine
Chlorpheniramine
Clemizole
Cyproheptadine
Diphenhydramine
Diphany Ipyraline
Doxylamine Succinate
Isothipendyl
Mebhydrolin Napadisylate
Meclozine
Phenindamine
Pheniramine
Promethazine
Thenalidine
Triporlidine
Substance being tetra-N-substituted derivatives of ethylene Diamine or prophylenediamine.

NOTE: Preparations containing the above substances excluding those intended for topical or external use are also covered by this Schedule."

39. For Schedule H of the said rules, the following Schedule shall be substituted, namely:—

"SCHEDULE H

Prescription drugs

(See Rules 65 and 97)

Adrenocorticotrophic hormone (Acth)
Amloride Hydrochloride
Analgin

Androgenic Anabolic oestrogenic and progestational substances, the following:—
Benzestrol
Derivatives of stilbene, dibenzyl or nepthalene with oestrogonic activity; their esters, Steride Compounds with androgenic or oestrogenic or progestational activity their esters.
Allopurinol
Alphachymotrypsin
Amantadine Hydrochloride
Amitriptyline, its salts
Ammidine
Ammodin
Antibiotics
Apiol
Aprotinin
Arsenic, organic compounds, of, for injection
Azathioprine
Barbiturin acid, its salts, derivatives of barbituric acid, then salts, compounds of barbituric acid, its salts, its derivatives, their salts with any other substance excluding those included in Schedule X.
Beclomethasone Dipropionate
Benactyzine, its salts
Betahistinem Dyhydrochloride
Betamethasone 17-Benzoate
Bethanidine Sulphate
Biperiden Hydrochloride
Bioscanate
Bretylium Tosylate
Bromhexine Hydrochloride
Bupivacaine Hydrochloride
Carbenoxolone Sodium
Carisoprodol
Chloral Hydrate
Chlordiazenoxide; its salts
Chlorisondamine Chloride
Chlorpromazine, its salts
Chlorprothiaxene
Citrated Calcium Carbimide
Clidinium Bromide
Clofazimine
Clofibrate
Clonidine Hydrochloride
Clopamide
Clotrimazole
Clorexolone
Corticosteroids, their esters, their derivatives and esters, or their derivatives
Cyclandelate

Dapsone, its salts and derivatives
Deoxyribonuclease
Diazepam
Diazoxide
Dilazep Hydrochloride
Dimethothazine and Mesylate
Disopyramide
Disulfiram
Dopamine Hydrochloride
Dothiepin Hydrochloride
Doxapram Hydrochloride
Doxepiam Hydrochloride
Drugs coming within the purview of the Dangerous Drugs Act
Epinephrine; its salts
Epsilon Aminocaproic Acid
Ergot, alkaloids of, whether hydrogenated or not; their homologues; any salt of any substance falling within this item
Ethacridine Lactate
Ethambutol Hydrochloride
Ethinyloestradiol
Ethionamide
Fenfluramine Hydrochloride
Flufenamic acid; its salts; its esters; their salts
Flupenthixo
Fluphenazine Enanthate and Decanoate
Flurbiprofen
Galanthamine Hydrobromide
Galliamine; its salts; its quarternary compound
Glucagon
Glycopytrolate
Glydiadinamide
Guanethidine
Halogenated Hydroxyguinoline, derivatives of Haloperiodl
Heparin
Hyaluronidase
Hydroxyzine; its salts
Ibu rofen.
Imramine; its salts
Indapamide
Indomethacin; its salts
Iron prepartions for parenteral use
Isocarboxazid
Isonicotinic acid hydrozine and other hydrazine deriviatves of isonicotinic acid; their derivatives, their salts
Isoptin Hydrochloride
Isosorbide Dinitrate
Isoxsuprine
Ketamine Hydrochloride

L-Dihydroxypheny lalanine
Levarterenol; its salts
Lidoflazine
Lithium Carbonate
Loperamine
Lorazepam
Mebendazole
Mebeverine Hydrochloride
Medigoxin
Mefenamic acid;its salts, its esters; their salts
Megestrol Acetate
Meglumine Locarmate
Mephenesin; its esters
Mesterolone
Methixene; its salts
Methocarbamol
Methoxsalen
Methylpenthynol; its esters and other derivatives
1-Methy 1-4 Phenylpiperidine-4 carboxylic acid; esters of their salts
Metoclopramide
Metronidezole
Miconazole
Morphazinamide Hydrochloride
Nalidixic Acid
Naproxen
Natamycin
Nicofuranose
Niflumic Acid
Nimorazole
Nitrazepam
Orphenadrine; its salts
Oxazepam
Oxazolidine; its salts
Oxethazaine Hydrochloride
Oxolinic Acid
Oxpremolol Hydrochloride
Oxyfedrine
Oxymetazoline
Oxyphenbutazone
Oxytocin
Para-amine benezene sulphonamide, its salts, derivatives of para amino benzene sulphonamide having any of the hydrogen atoms of the para amino group of the sul-phonamide group substituted by another radical excluding carbutamide; their salts
Para-amino salicylic Acid; its salts; its derivatives their salts.
Pancuronium Bromide
Pmidiene; its salts
Penamecillin
D-Penicillemine
Pentazocine

Pentoxifyllin
Phenelzine; its salts
Phenothiazine, derivatives of and salts of its derivatives not otherwise specified in the Schedule
Phenylbutazone; its salts
Phenylpropanolamine Hydrochloride
Pimozide
Pindolol
Piracetam
Pivazide
Pituitary gland, the active principles of, not otherwise specified in this Schedule and their salts
Prednisolone Stearoylglycolate
Promazine; its salts
Propanidid
Propranolol Hydrochloride
Protristyline Hydrochloride
Pyrantel Pamoate
Pyrazinamide
Pyrvinium; its salts
Rauwofia alkaloids of their salts; derivatives of the alkaloids of rauwolfia; their salts
Salbutamol Sulphate
Salicylazosulphapyridine
Sodium Cromoglycate
Sodium and Meglumine Lothalamates.
Sotalol
Sulfonal; alkylisulfonals
Sulphamethoxine
Sulphamethoxypyridazine
Sulphaphenazole
Sulthiame
Terbutaline Sulphate
Tetramisole Hydrochloride
Thiabendazole
Thiacatazone
Thiethylperazine
Thiopropazate; its salts
Thiothixene
Tinidazole
Tranyi cypromine; etc salts
Tretinoin
Tribromo-ethyl propanol
Trichloromethiazide
Trifluoperazine
Trafluperiodol Hydrochloride
Trimeprazine, its salts
Trimethoprim
Trimipramine
Vasopressin

NOTE:—1. Preparations exempted under proviso to para 2 of Note to Schedule X shall also be covered by this Schedule.

2. Preparations containing the above substances excluding those intended for topical or external use are also covered by this Schedule. The inclusion of a substance in Schedule H does not imply or convey that the substance is expempted from the provisions of Rule 30-A of the Drugs and Cosmetics Rules."

40. Schedule I of the said rules shall be omitted;

41. In Schedule K of the said rules,—

(a) in item 5, under the column heading "Extent and Conditions of Exemption", in condition (2),—

(i) in the opening paragraph, for the words, "Schedule E", the words "Shedule G, H of X" shall be substituted;

(ii) in clause (b), the word "Poison" shall be comitted;

(b) in item 13, under the column heading "Extent and Conditions of Exemption", in conditions (b) for the words and letters "Schedule E and L" the words and letters "Schedule G. H. or X" shall be substituted.

42. Schedule L of the said rules shall be omitted.

43. After Schedule W, the following Schedule shall be inserted, namely :—

"SCHEDULE X

(See rules 23,61, 75, 97 and 105-A)

Amobarbital
Amphetamine
Barbital
Cyclobarbital
Dexamphetamine
Ethchlorvynol
Glutethimide
Meprobamate
Methamphetamine
Methaqualone
Methylpheni date
Methylphenobarbital
Pentobarbital
Phencylidine
Phenmetrazine
Phenobarbital
Secobarbital

NOTE:—1. Any steriosomctric form of the substance specified in this Schedule, any salt of the substance and preparation containing such substances are also covered by this Schedule.

2. Preparations containing the above substances are also covered by this Schedule."

Provided, however, preparations containing Meprobamate or Phenobarbital in combination with other drugs may be exempted by the Liscensing Authotiry specfied in clause (b) of rule 21, from the provisions of this Schedule, if satisfactory evidence is adduced that these preparations are not liable to be misused.

[No. X-11013/2/80-DMS&PFA]

R. K. SINGHAL,

Jt. Secretary.

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport-C) Department

NOTIFICATION

No. 18486/TC2/82/TF&P. *Dated, Trivandrum, 12th November* 1982.

S. R. O. No. 1570/82.—Whereas representation has been received by Government from the Stage Carriage Operator Smt. Rehuma Beevi, Puthenkoottil Veedu, Kavanad, Quilon that the vehicle tax for the quarter ended on the 31st March, 1982, 30th June, 1982 and 30th September 1982 in respect of the Stage Carriage bearing Registration Number KLQ 6671 could not be remitted within the prescribed period due to financial strain and that extension of time for payment of vehicle tax in respect of this vehicle may, therefore, be granted;

And whereas, the Government are convinced that circumstances existed that the operators of the said stage carriage could not remit the vehicle tax in respect of the said stage carriage ordinarily kept for use in the State for the quarter ended on the 31st March 1982, 30th June, 1982 and 30th September, 1982 due to financial strain;

And whereas, the Government are convinced that non-operation of the said stage carriage due to non-payment of tax would have caused great inconvenience to the travelling public;

And whereas, the Government consider it necessary to extend in public interest the time for payment of the vehicle tax for the quarter ended on the 31st March, 1982, 30th June 1982 and 30th September, 1982 in respect of the said stage carriage;

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the vehicle tax in respect of the said stage carriages ordinarily kept for use in the State for the quarter ended on the 31st March, 1982, 30th June, 1982 shall be paid immediately and vehicle tax for the quarter ended on the 30th September, 1982 shall be paid on or before the 31st August, 1982 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the notification (5) No. 33942/TC2/75-5/PW. dated the 29th September, 1975 published as S. R. O. No. 876/75 in the Kerala Gazette Extraordinary No. 572 dated the 29th September, 1975.

By order of the Governor,
T. SANKARAN,
Additional Secretary to Government.

[P. W. O.]

G. 1371

Explanatory Note

(This is not part of the notification, but is intended to indicate the main purpose of the issue of the notification).

Government have received representation from the Stage Carriage Operator as shown in the notification requesting extension of time for payment of vehicle tax for the quarter ended 31st March, 1982, 30th June, 1982 and 30th September, 1982 due to financial strain;

Government are convinced of the position and in public interest, grant extension of time for payment of tax as otherwise these vehicles might be put out of operation for non-payment of tax causing great inconvenience to the travelling public.

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport C) Department

NOTIFICATION

No. 15029/TC2/82/TF & P. *Dated, Trivandrum, 2nd November,* 1982.

S. R. O. No. 1571/82.—Whereas representations have been received by Government from the Stage Carriage Operators specified in the annexure to this notification that the vehicle tax for the quarter ended on the 30th June, 1982, in respect of the Stage Carriages particulars of which are specified in the said annexure could not be remitted within the prescribed period due to financial strain and that extension of time for payment of vehicle tax in respect of these vehicles may, therefore, be granted;

And whereas, the Government are convinced that circumstances existed that the operators of the said stage carriages could not remit the vehicle tax in respect of the said stage carriages ordinarily kept for use in the state for the quarter ended on the 30th June, 1982 due to financial strain;

And whereas, the Government are convinced that non-operation of the said stage carriages due to non-payment of tax would have caused great inconvenience to the travelling public;

And whereas, the Government consider it necessary to extend in public interest the time for payment of the vehicle tax for the quarter ended on the 30th June, 1982 in respect of the said stage carriages;

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the vehicle tax for the quarter ended on the 30th June, 1982 in respect of the said stage carriages ordinarily kept for use in the state shall be paid on or before the 31st July, 1982 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the notification (5) No. 33942/TC2/75-5/PW. dated the 29th September, 1979 published as S. R. O. No. 876/75 in the Kerala Gazette Extraordinary No. 572 dated 29th September, 1975.

G. 1775.

ANNEXURE

Sl. No.	Name of Stage Carriage Operator	Registration No. of the Stage Carriage
(1)	(2)	(3)
1.	Smt. P. Lakshmi Pillai Amma, Thoppil Veedu, Chavara.	KLU 1729 KLA 2122
2.	Shri Mathai Stephen, Apsara Motors, Kumily, Idukki.	KLO 277, KLO 4083 KLO 894, KLI 1126 KLI 1325, KLI 991
3.	Shri N. M. Prabhakaran, Naduvila valappil House, Thumbur P.O., (via) Irinjalakuda, Trichur.	KLE 6275
4.	Shri K. K. Raman, Kannissery House, Irapuram P. O., Perumbavoor, Ernakulam.	KLE 7929
5.	Shri V. Balakrishnan, Anup Vihar, Beypore North, Calicut.	KLD 6990
6.	Shri Sajeeth, M. Eachen Veettil, Thevally, Quilon.	KLO 4822
7.	Shri Najeeb, M., Eachen Veettil, Thevally, Quilon.	KLU 9394
8.	Shri A. V. Suresh, Maniyari House, P. O. Mattannur, Tellicherry, Cannanore.	KLD 9092
9.	Mrs. Vanaja, W/o M.G. Purushothaman, Nettikattil House, Kandassamkadavu, Trichur.	KRR 5801
10.	Sri M. M. Philip, Mekkadu Veettil, Harippadu,	KLA 1982

(1)	(2)	(3)
11.	Shri K. Sivadasan, Rajendra Bhavan, Punnathala, Quilon.	KLQ 4462
12.	Smt. Rosy Enasu, Babu Raj Motor Works. West Fort, Trichur.	KLK 7701
13.	Sri C. V. Krishna Menon, Lakshmi Electricals, Bank Road, Calicut.	KLD 9619

By order of the Governor,

T. SANKARAN,

Additional Secretary to Government.

Explanatory Note

(This is not part of the notification, but is intended to indicate the main purpose of the issue of the notification).

Government have received certain representations from the Stage Carriage Operators as shown in the annexure requesting extension of time for payment of vehicle tax for the quarter ended 30th June, 1982 due to financial strain.

Government are convinced of the position and in public interest, grant extension of time for payment of tax as otherwise these vehicles might be put out of operation for non-payment of tax causing great inconvenience to the travelling public.

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport-G) Department

NOTIFICATION

No. 18354/TG2/82/TF & P. *Dated, Trivandrum, 10th November* 1982.

S. R. O. No. 1572/82.—Whereas representation has been received by Government from the Stage Carriage Operator Shri V. P. Varghese, Vettikaparambil Veedu, Koothattukulam, Moovattupuzha that the arrears of vehicle tax for the quarter ended on the 30th September, 1981, 31st December, 1981, 31st March, 1982, 30th June, 1982 and 30th September, 1982 in respect of the Stage Carriage bearing Registration Number KRE. 1879 could not be remitted within the prescribed period due to financial strain and that permission may be granted to remit the arrears of vehicle tax in respect of this vehicle in monthly instalments;

And whereas, the Government are convinced that circumstances existed that the operator of the said stage carriage could not remit the arrears of vehicle tax in respect of the said stage carriage ordinarily kept for use in the State for the quarter ended on the 30th September, 1981, 31st December, 1981, 31st March, 1982, 30th June, 1982, and 30th September, 1982 due to financial strain;

And whereas, the Government are convinced that non-operation of the said stage carriage due to non-payment of tax would cause great inconvenience to the travelling public;

And whereas, the Government consider it necessary in public interest to permit the Stage Carriage Operator to remit the arrears of vehicle tax for the quarter ended on the 30th September, 1981, 31st December, 1981, 31st March, 1982, 30th June, 1982, and 30th September, 1982, in respect of the said stage carriage in equal monthly instalments;

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the arrears of vehicle tax for the quarter ended on the 30th September, 1981, 31st December, 1981, 31st March, 1982, 30th June, 1982 and 30th September, 1982 in respect of the said stage carriage ordinarily kept for use in the State shall be paid in twelve (12) equal monthly instalments commencing from the August, 1982 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the Notification (5) No. 33912/TC2/75-5/PW. dated the 29th September, 1975 published as S. R. O. No. 876/75 in the Kerala Gazette Extraordinary No. 572 dated 29th September, 1975.

By order of the Governor,
T. SANKARAN,
Additional Secretary to Government.

Explanatory Note

(This is not part of the notification, but is intended to indicate the main purpose of the issue of the notification).

Government have received representation from the Stage Carriage Operators shown in the notification requesting instalment facility for payment of vehicle tax for the quarter ended 30th September, 1981, 31st December, 1981, 31st March, 1982, 30th June, 1982 and 30th September, 1982 due to financial strain;

Government are convinced of the position and in public interest, grant instalment facility for payment of tax as otherwise the vehicle might be put out of operation for non-payment of tax causing great inconvenience to the travelling publio.

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport C) Department

NOTIFICATION

No. 18372/TG2/82/TF&P. *Dated, Trivandrum, 2nd November* 1982.

S.R.O.No. 1573/82.—Whereas representation has been received by Government from the Stage Carriage Operator Shri M. S. Venugopalan, Manamel House, Konathukunnu, (Via) Eringalakuda that the vehicle tax for the quarter ended on the 30th September 1981, 31st December 1981, 31st March, 1982, 30th June, 1982 and 30th September, 1982 in respect of the Stage Carriage bearing Registration Number KLH. 53 and KRE. 5383 could not be remitted within the prescribed period due to financial strain and that extension of time for payment of Vehicle tax in respect of this vehicle may, therefore, be granted ;

And whereas, the Government are convinced that circumstances existed that the operator of the said Stage Carriage could not remit the vehicle tax in respect of the said Stage Carriage ordinarily kept for use in the State for the quarter ended on the 30th September, 1981; 31st December, 1981, 31st March, 1982, 30th June, 1982 and 30th September, 1982 due to financial strain ;

And whereas, the Government are convinced that non-operation of the said stage carriage due to non-payment of tax would have caused great inconvenience to the travelling public ;

And whereas, the Government consider it necessary to extend in public interest the time for payment of the vehicle tax for the quarter ended on the 30th September, 1981, 31st December, 1981, 31st March, 1982, 30th June, 1982 and 30th September, 1982 in respect of the said stage carriage ;

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the vehicle tax for the quarter ended on the 30th September, 1981, 31st December, 1981, 31st March, 1982, 30th June, 1982, and 30th September, 1982 in respect of the said stage carriage ordinarily kept for use in the State shall be paid on or before the 31st August, 1982 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the notification (5) No. 33942/TC2/75-5/PW dated the 29th September, 1975 published as S. R. O. No. 876/75 in the Kerala Gazette Extraordinary No. 572 dated the 29th September, 1975.

By order of the Governor,
T. SANKARAN,
Additional Secretary to Government.

Explanatory Note

(This is not part of the notification, but Is intended to indicate the main purpose of the issue of the notification).

Government have received representation from the Stage Carriage Operator as shown in the notification requesting extension of time for payment of the vehicle tax for the quarter ended on 30th September, 1981, 31st December, 1981, 31st March, 1982, 30th June, 1982 and 30th September, 1982 due to financial strain;

Government are convinced of the position and in public interest grant extension of time for payment of tax as otherwise these vehicles might be put out of operation for non-payment of tax causing great inconvenience to the travelling public.

Kerala Gazette No. 51 dated 28th December 1982.
PART I Section iv



GOVERNMENT OF KERALA

Agriculture (NCA) Department

NOTIFICATION

G.O. (P) 320/82/AD. *Dated, Trivandrum, 8th November* 1982

S.R.O. No. 1574/82.—In exercise of the powers conferred by clause (xii-a) of subsection (2) of Section 18 of the Madras Commercial Crops Markets Act, 1933 (Madras Act 20 of 1933), the Government of Kerala hereby make the following rules further to amend the Madras Commercial Crops Market Committees Financial Rules, 1953, the same having been previously published as required by clause (a) of subsection (4) of the said section namely:—

RULES

1. *Short title.*—These rules may be called the Madras Commercial Crops Market Committees Financial (Amendment) Rules, 1982.

2. *Amendment to the rules.*—In the Madras Commercial Crops Market Committees Financial Rules, 1953, for rule 29 the following rule shall be substituted, namely:—

"29. Cheques in respect of payments of salary and fixed allowances for a month, except for the month of December, shall be issued during the last three working days of the same month. Cheques in respect of payments of salary and fixed allowances for the month of December shall not be issued before the first working day in January:

Provided that in the event of an officer or servant finally quitting the service of the Market Committee or being transferred to the service of another local body or the Government, cheque may be issued on the date of such event.

Note:—In reckoning the last three working days for the purpose of this rule so far as Banking transactions are concerned the intervening Bank holidays shall be excluded.

By order of the Governor.

M. R. VASUDEVAN PILLAI,
Additional Secretary to Government.

Explanatory Note

(This does not form part of the notification, and is intended to explain the purpose of the notification.)

The pay and allowances of the employees of the Malabar Market Committee, which is a statutory body set up under the Madras Commercial Crops Market Act, 1933, are being drawn on the first working day of the month following that to which the pay and allowances relates. The Government have amended Kerala Financial Code, Volume I, to the effect that the salary of Government employees for a month other than the month of March will be disbursed during the last three working days of the same month. It is therefore, necessary that the salary of the employees of the Malabar Market Committee for a month other than the month of December, is also be disbursed on the last three working days of the same month. The above Notification is intended to achieve this object.

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport C) Department

NOTIFICATION

No. 25159/TC2/82/TF&P. *Dated, Trivandrum, 26th November*, 1982.

S. R. O. No. 1575/82.—Whereas representation has been received by Government from the Stage Carriage Operator Shri O. Ahamadukoya, Thulaparambil Veedu, Narakkal P. O., Ernakulam that the vehicle tax for the quarter ended on the 31st March, 1981 in respect of the Stage Carriage bearing Registration Number KLD. 9766 could not be remitted within the prescribed period due to financial strain and that extension of time for payment of vehicle tax in respect of this vehicle may, therefore, be granted;

And whereas, the Government are convinced that circumstances existed that the operator of the said stage carriage could not remit the vehicle tax in respect of the said stage carriage ordinarily kept for use in the State for the quarter ended on the 31st March, 1981, due to financial strain;

And whereas, the Government are convinced that non-operation of the said stage carriage due to non-payment of tax would have caused great inconvenience to the travelling public;

And whereas, the Government consider it necessary to extend in public interest the time for payment of the vehicle tax for the quarter ended on the 31st March, 1981, in respect of the said stage carriage.

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the vehicle tax for the quarter ended on the 31st March, 1981, in respect of the said stage carriage ordinarily kept for use in the State shall be paid on or before the 30th June, 1982 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the notification (5) No. 33942/TC2/ 75-5/PW. dated the 29th September, 1975 published as S.R.O. No. 876/75 in the Kerala Gazette Extraordinary No. 572 dated the 29th September, 1975.

By order of the Governor,

T. SANKARAN,

Additional Secretary to Government.

Explanatory Note

(This is not part of the notification, but is intended to indicate the main purpose of the issue of the notification).

Government have received representation from the Stage Carriage Operator as shown in the notification requesting extension of time for payment of vehicle tax for the quarter ended 31st March, 1981, due to financial strain;

Government are convinced of the position and in public interest, grant extension of time for payment of tax as otherwise these vehicles might be put out of operation for non-payment of tax causing great inconvenience to the travelling public.

GOVERNMENT OF KERALA

Irrigation and Rehabilitation (General and Planning) Department

NOTIFICATIONS

No. 195/P2/77/I&R. *Dated, Trivandrum, 7th December* 1982.

I

S. R. O. No. 1576/82.—In exercise of the powers conferred by section 66 of the Travancore Public Canals and Public Ferries Act, 1096 (6 of 1096) the Government of Kerala hereby make the following Rules further to amend the Travancore Public Canals and Public Ferries Rules, 1100 M.E. namely:

Rules

1. These rules may be called the Travancore Public Canals and Public Ferries (Amendment) Rules, 1982.

2. In the Travancore Public Canals and Public Ferries Rules, 1100 M. E.

(a) in sub-rule (a) of rule 5, the last sentence beginning with the words "on the change of ownership of vessel"......and ending with the words "fresh registration shall be taken by the owner", shall be omitted;

(b) after sub rule (i) of rule 8, the following sub-rule shall be inserted, namely:—

"(iA) If the ownership of a licenced or registered vessel other than a steam or motor vessel is changed during the year for which the vessel is licenced or registered as the case may be, the Canal Officer who has to issue the 'A' Form license or 'F' form certificate shall on receipt of written application from the original owner and the transferee, alter the 'A' form or 'F' form, as the case may be, by substituting the name of the latter for that of the former".

Explanatory Note

(This is not part of the notification, but is intended to bring out the main purport).

Under rule 8 of the Travancore Public Canals and Public Ferries Rules if the ownership of a steam or motor vessel is changed, the Canal Officer is competent to change the name of the owner in the license or in the certificate of registration as the case may be. This rule is not applicable to country boats; in the case of country boats change of name of ownership

will have to be made when the licence or registration is renewed. If the change of name should be effected in the licence immediately on change of ownership of the country boats also, rule 8 mentioned above will have to be suitably amended. The present amendment to the rules is to achieve the above purpose.

എസ്. ആർ. ഒ. നമ്പർ 1576/82.—പൊതു തോടുകളേയും പൊതു കടത്തുകളേയും സംബന്ധിച്ച 1096-ലെ തിരുവിതാംകൂർ ആക്ററ് (1096-ലെ 6) 66-ാം വകുപ്പുമൂലം നൽകപ്പെട്ട അധികാരങ്ങൾ വിനിയോഗിച്ച്, കേരള സർക്കാർ പൊതു തോടുകളേയും പൊതു കടത്തുകളേയും സംബന്ധിച്ച കൊല്ലവർഷം 1100-ലെ തിരുവിതാംകൂർ ചട്ടങ്ങൾ വീണ്ടും ഭേദഗതി ചെയ്യുന്നതിനുവേണ്ടി താഴെ പറയുന്ന ചട്ടങ്ങൾ ഇതിനാൽ ഉണ്ടാക്കുന്നു, അതായത് :—

ചട്ടങ്ങൾ

1. ഈ ചട്ടങ്ങൾക്ക് പൊതു തോടുകളേയും പൊതു കടത്തുകളേയും സംബന്ധിച്ച 1982-ലെ തിരുവിതാംകൂർ (ഭേദഗതി) ചട്ടങ്ങൾ എന്നു പേർ പറയാം.

2. പൊതു തോടുകളേയും പൊതു കടത്തുകളേയും സംബന്ധിച്ച് കൊല്ലവർഷം 1100-ലെ തിരുവിതാംകൂർ ചട്ടങ്ങളിൽ,

(എ) 5-ാം ചട്ടം (എ) ഉപചട്ടത്തിൽ, "ഉരുവിന്റെ ഉടമാവകാശത്തിലുണ്ടാകുന്ന മാററം" എന്ന വാക്കുകളിൽ തുടങ്ങുന്നതും "ഉടമസ്ഥൻ പുതിയ രജിസ്ട്രേഷൻ എടുക്കേണ്ടതാണ്." എന്ന് അവസാനിക്കുന്നതുമായ ഒടുവിലത്തെ വാചകം വിട്ടുകളയേണ്ടതാണ്.

(ബി) 8-ാം ചട്ടം (1)-ാം ഉപചട്ടത്തിനുശേഷം താഴെപ്പറയുന്ന ഉപചട്ടം ചേർക്കേണ്ടതാണ്, അതായത്:—

"(1എ) സ്ററീം വെസലോ, മോട്ടോർ വെസലോ അല്ലാതുള്ള ലൈസൻസ് ഉള്ളതോ, രജിസ്ട്രേഷൻ ഉള്ളതോ ആയ ഉരുവിന്റെ ഉടമാവകാശം ഏതു വർഷത്തേക്കാണോ, അതതു സംഗതിപോലെ, ലൈസൻസ് എടുക്കുകയോ രജിസ്ററർ ചെയ്യുകയോ ചെയ്തിട്ടുള്ളത് ആ വർഷത്തിൽ മാററിയിട്ടുണ്ടെങ്കിൽ, 'എ' ഫാറം ലൈസൻസോ, 'എഫ്' ഫാറം സർട്ടിഫിക്കററോ നൽകേണ്ടതായ കനാൽ ആഫീസർ ആദ്യത്തെ ഉടമസ്ഥനിൽ നിന്നും കൈമാററം കിട്ടിയ ആളിൽനിന്നും രേഖാമൂലമായ അപേക്ഷ കിട്ടുന്നതിൻമേൽ, ആദ്യത്തെയാളിന് പകരം ഒടുവിൽ പറഞ്ഞയാളിന്റെ പേര് ചേർത്തുകൊണ്ട്, അതതു സംഗതിപോലെ, 'എ' ഫാറമോ 'എഫ്' ഫാറമോ മാറേറണ്ടതാണ്."

വിശദീകരണക്കുറിപ്പ്

(ഇത് വിജ്ഞാപനത്തിന്റെ ഭാഗമല്ല. എന്നാൽ പൊതു ഉദ്ദേശം സൂചിപ്പിക്കുന്നതിനുദ്ദേശിച്ചുള്ളതാണ്.)

പൊതു തോടുകളേയും പൊതു കടത്തുകളേയും സംബന്ധിച്ച തിരുവിതാംകൂർ ചട്ടങ്ങൾ 8-ാം ചട്ടപ്രകാരം ഏതെങ്കിലും സ്ററീം വെസലിന്റെയോ മോട്ടോർ വെസലിന്റെയോ ഉടമാവകാശം മാററുകയാണെങ്കിൽ, അതതു സംഗതിപോലെ ലൈസൻസിലേയോ, രജിസ്ട്രേഷൻ സർട്ടിഫിക്കററിലെയോ പേരുമാററാൻ 'കനാൽ ആഫീസർക്ക്' അധികാരമുണ്ട്. ഈ ചട്ടം നാടൻ വള്ളങ്ങൾക്ക് ബാധകമല്ല. നാടൻ വള്ളങ്ങളുടെ സംഗതിയിൽ അതിന്റെ ഉടമസ്ഥന്റെ പേര് മാററുന്നത് അതിന്റെ ലൈസൻസോ രജിസ്ട്രേഷനോ പുതുക്കുമ്പോഴാണ്

ഇതു മതിയാകുമെങ്കിൽ ഈ ചട്ടത്തിന് ഭേദഗതി ആവശ്യമില്ല. എന്നാൽ നാടൻ വള്ളങ്ങളുടേയും ഉടമാവകാശം മാറുമ്പോൾ ഉടനെതന്നെ ലൈസൻസിൽ പേരു മാററുന്നത് പ്രാബല്യത്തിൽ കൊണ്ടുവരണമെങ്കിൽ മുകളിൽപ്പറഞ്ഞ 8-ാം ചട്ടം യഥായോഗ്യം ഭേദഗതി ചെയ്യേണ്ടിയിരിക്കുന്നു.

ചട്ടങ്ങൾക്കുള്ള ഇപ്പോഴത്തെ ഭേദഗതി മേൽപ്പറഞ്ഞ ഉദ്ദേശം സാധിക്കുന്നതിനുദ്ദേശിച്ചുള്ളതാണ്.

II

S.R.O. No. 1577/82.—In exercise of the powers conferred by section 9 of the Cochin Public Canals and Backwaters Navigation Act, 1092 (1 of 1092),the Government of Kerala hereby make the following rules further to amend the Cochin Public Canals and Backwaters Navigation Rules, namely:—

Rules

1. These Rules may be called the Cochin Public Canals and Backwaters Navigation (Amendment) Rules, 1982.

2. In the Cochin Public Canals and Backwaters Navigation Rules—

(i) The explanation under sub-rule (a) of rule 5 shall be omitted.

(ii) after sub-rule (i) of rule 8 the following sub-rule shall be inserted, namely:—

"(iA) If the ownership of a licensed or registered vessel other than a steam or motor vessel, is changed during the year for which the vessel is licensed or registered as the case may be, the Canal Officer, who has to issue the 'A' form licence or 'F' form certificate shall on receipt of written application from the original owner and the transferee, alter the 'A' form or 'F' form, as the case may be, by substituting the name of the latter for that of the former".

Explanatory Note

(This is not part of the Notification but is intended to bring out the main purport).

In order to effect the change of name in the license immediately on change of ownership of the country boats also rule 8 will have to be suitably amended. The present amendment to the rules is to achieve this purpose.

എസ്. ആർ. ഒ. നമ്പർ 1577/82.—പൊതു തോടുകളേയും കായൽ ഗതാഗതത്തേയും സംബന്ധിച്ച 1092-ലെ കൊച്ചി ആക്ററ് (1092-ലെ 1) 9-ാം വകുപ്പുമൂലം നൽകപ്പെട്ട അധികാരങ്ങൾ വിനിയോഗിച്ച് കേരള സർക്കാർ പൊതു തോടുകളേയും കായൽ ഗതാഗതത്തേയും സംബന്ധിച്ച കൊച്ചി ചട്ടങ്ങൾ വീണ്ടും ഭേദഗതി ചെയ്യുന്നതിനുവേണ്ടി താഴെപ്പറയുന്ന ചട്ടങ്ങൾ ഇതിനാൽ ഉണ്ടാക്കുന്നു, അതായത്:—

ചട്ടങ്ങൾ

1. ഈ ചട്ടങ്ങൾക്ക് പൊതു തോടുകളേയും കായൽ ഗതാഗതത്തേയും സംബന്ധിച്ച് 1981-ലെ കൊച്ചി (ഭേദഗതി) ചട്ടങ്ങൾ എന്ന് പേർ പറയാം.

2. പൊതു തോടുകളേയും കായൽ ഗതാഗതത്തേയും സംബന്ധിച്ച കൊച്ചി ചട്ടങ്ങളിൽ,—

(i) 5-ാം ചട്ടം (എ) ഉപചട്ടത്തിൻകീഴിലുള്ള വിശദീകരണം വിട്ടുകളയേണ്ടതാണ്.

(ii) 8-ാം ചട്ടം (1)-ാം ഉപചട്ടത്തിനുശേഷം താഴെപ്പറയുന്ന ഉപചട്ടം ചേർക്കേണ്ടതാണ്, അതായത്:—

"(1എ) സ്ററീം വെസലോ, മോട്ടോർ വെസലോ അല്ലാതുള്ള, ലൈസൻസ് ഉള്ളതോ രജിസ്ട്രേഷൻ ഉള്ളതോ ആയ ഉരുവിന്റെ ഉടമാവകാശം ഏതു വർഷത്തേക്കാണോ, അതതു സംഗതിപോലെ ലൈസൻസ് എടുക്കുകയോ രജിസ്ററർ ചെയ്യുകയോ ചെയ്തിട്ടുള്ളത് ആ വർഷത്തിൽ മാററിയിട്ടുണ്ടെങ്കിൽ, 'എ' ഫാറം ലൈസൻസോ, 'എഫ്' ഫാറം സർട്ടിഫിക്കററോ നൽകേണ്ടതായ കനാൽ ആഫീസർ ആദ്യത്തെ ഉടമസ്ഥനിൽ നിന്നും കൈമാററം കിട്ടിയ ആളിൽ നിന്നും രേഖാമൂലമായ അപേക്ഷ കിട്ടുന്നതിൻമേൽ, ആദ്യത്തെയാളിന് പകരം ഒടുവിൽ പറഞ്ഞയാളിന്റെ പേര് ചേർത്ത കൊണ്ട്, അതതു സംഗതിപോലെ, 'എ' ഫാറമോ 'എഫ്' ഫാറമോ മാറേറണ്ടതാണ്.

<u>വിശദീകരണക്കുറിപ്പ്</u>

(ഇതു വിജ്ഞാപനത്തിന്റെ ഭാഗമല്ല. എന്നാൽ പൊതു ഉദ്ദേശം സൂചിപ്പിക്കുന്നതിനുദ്ദേശിച്ചുള്ളതാണ്.)

നാടൻ വള്ളങ്ങളുടെയും ഉടമാവകാശം മാറുമ്പോൾ ഉടനെതന്നെ ലൈസൻസിൽ പേരു മാററുന്നത് പ്രാബല്യത്തിൽ കൊണ്ടുവരുന്നതിനുവേണ്ടി 8-ാം ചട്ടം യഥായോഗ്യം ഭേദഗതി ചെയ്യേണ്ടിയിരിക്കുന്നു. ചട്ടങ്ങൾക്കുള്ള ഇപ്പോഴത്തെ ഭേദഗതി മേൽപ്പറഞ്ഞ ഉദ്ദേശം സാധിക്കുന്നതിനുദ്ദേശിച്ചുള്ളതാണ്.

By order of the Governor,

K. Malathy,

Joint Secretary to Government.